

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

THIRTIETH DAY'S PROCEEDINGS

Twenty-fifth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, May 10, 1999

The House of Representatives was called to order at 2:00 P.M., by the Honorable Hunt Downer, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson

Frith
Fruge
Gautreaux
Glover
Green
Total—102

Morrish
Murray
Nevers
Odinet
Perkins

Willard
Windhorst
Winston
Wooton
Wright

ABSENT

Strain
Total—1

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Bishop Michael Jarrell.

Pledge of Allegiance

Rep. Dupre led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Walsworth, the Journal of May 7, 1999, was adopted.

Suspension of the Rules

On motion of Rep. Walsworth, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Privileged Report of the Committee on Enrollment

May 10, 1999

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 13—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 51:1723(A)(1)(c) and to repeal R.S. 51:1724, relative to promotional contests; to prohibit the assessment of certain charges; and to provide for related matters.

HOUSE BILL NO. 49—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 9:3571.2, relative to credit reporting agency information and reports; to limit the circumstances for use of a consumer's credit report; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

SENATE BILLS

May 10, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 132, 982, 996, 1027, 1036, 1038, and 1043

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Doerge, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 132—

BY SENATORS CAMPBELL, CRAVINS, BAJOE, BEAN, BOISSIERE,
DEAN, C. FIELDS, W. FIELDS, HINES, IRONS, JONES AND ROMERO
AN ACT

To enact Part XIX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.11 through 3577.22, and to repeal Part XIX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8; to replace the Louisiana Small Loan Act with the Louisiana Pay Day Loan Act on April 1, 2000 in order to provide for comprehensive regulation of the deferred deposit loan or "pay day loan" business; to provide for civil and criminal penalties; to provide for civil remedies; and to provide for related matters.

Read by title.

SENATE BILL NO. 982 (Duplicate of House Bill No. 1010)—

BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 48:1603 and 1604(A), (C), (E), (G), and (J), relative to public transportation; to provide relative to the River Parishes Transit Authority; to provide relative to the composition of the board of commissioners of such authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 996—

BY SENATOR LANDRY

AN ACT

To amend and reenact the introductory paragraphs of R.S. 34:2471(A), and (A)(1), (3), and (4), 2471(A)(6)(a), 2473(B)(3), (C), (D), (E), and (F), 2473.1(B), (C), (D), and (E), 2474, 2475(B) and (C), and 2476 and to enact R.S. 34:2473.1(F), relative to ports; to provide relative to the Port of South Louisiana; to provide relative to designations of officers of the commission; to provide relative to contracts for professional services; to provide relative to powers of the commission; to authorize additional powers; to provide that the title to facility improvements shall vest to the port; to increase monetary limits of contracts and purchasing requiring commission approval; to increase the limits authorized for outstanding bonds and notes; to authorize acquisition of facility improvements by expropriation; to provide an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 1027—

BY SENATORS JONES AND EWING

AN ACT

To enact R.S. 33:2740.46, relative to special taxing districts; to create a downtown economic development district in the city of Monroe; to authorize special uses of the Ouachita River; and to provide for related matters.

Read by title.

SENATE BILL NO. 1036 (Duplicate of House Bill No. 1316)—

BY SENATOR JOHNSON AND REPRESENTATIVE WILLARD

AN ACT

To enact R.S. 33:2740.46, relative to the creation of Lake Carmel Subdivision Improvement District; to provide for the rights, powers, and management, and for the objects and purposes of such district, including tax authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 1038—

BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:14, and to repeal R.S. 56:13 and 13.1, relative to saltwater fisheries; to create the Saltwater Fishery Enforcement Fund; to transfer funds from the Commercial Fisherman's Economic Assistance Fund into the Saltwater Fishery Enforcement Fund; to provide for enforcement of fishery rules and regulations in coastal parishes; and to provide for related matters.

Read by title.

SENATE BILL NO. 1043—

BY SENATOR W. FIELDS

AN ACT

To repeal R.S. 56:1685(B)(11) and 1702, relative to state parks; to provide for the transfer of the administration, possession, control, management, and operation of the Camp Moore Commemorative Area from the Department of Culture, Recreation and Tourism to Southeastern Louisiana University; to repeal classification of Camp Moore as a state commemorative area; to transfer ownership of Camp Moore to the state land office; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 48—

BY REPRESENTATIVES BAYLOR, BRUNEAU, COPELIN, FONTENOT, HUNTER, SCALISE, WADDELL, WALSWORTH, AND WELCH

A RESOLUTION

To urge and request private employers to assist any employee who seeks and holds elected public office while in the employ of the private entity in performing the public service the elected position entails by working with the elected official to reschedule his work duties with the private employer or to permit a leave of absence, and to assist the employee/public official to maintain his salary, seniority, and other benefits of employment.

Read by title.

On motion of Rep. Baylor, and under a suspension of the rules, the resolution was adopted.

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 396—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to motor vehicles; to provide for the exclusion of Saturdays, Sundays and legal holidays in the computation of time to provide proof of compliance with the Motor Vehicle Safety Responsibility Law; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

SENATE BILL NO. 554 Duplicate of House Bill No. 1733—

BY SENATOR DARDENNE AND REPRESENTATIVE DEWITT AND COAUTHORED BY SENATORS EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3972(B)(1), 3973(1)(a), 3982, 3983(A)(2)(a)(i), (3)(a), (4), and (5), (B)(1), and (D), 3991(B)(1), (3), (6), (7), (10), and (21), 3992(A)(1), 3995(A), (B), and (C), 3996(C), 3997(A)(1)(a), (2), (C)(1)(a), (2), (D), and (E), 3998 (C) and (D), 3999, 4001(A) and (C), and to enact R.S. 17:3973(1)(f), 3991(B)(23), (C)(1)(c)(iv), (E)(5) and (H), relative to the Charter School Demonstration Programs Law; to provide relative to purposes, definitions, local school board duties, chartering process, charter terms, charter operations, charter renewal length, pupil admission requirements, charter contents, charter school employees, assets, property, and funding; to provide for the application of certain laws; to provide relative to charter school loans; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. DeWitt moved that Senate Bill No. 554 be designated as a duplicate of House Bill No. 1733.

Which motion was agreed to.

Rep. DeWitt moved that Senate Bill No. 554 be amended to conform with House Bill No. 1733 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 554 by Senator Dardenne (Duplicate of H.B. No. 1733)

AMENDMENT NO. 1

On page 3, line 12, delete "an indication of" and insert "within such time"

AMENDMENT NO. 2

On page 3, at the beginning of line 13, delete "board's interest" and insert "shall indicate whether it is interested" and at the end of the line, change "their" to "its"

AMENDMENT NO. 3

On page 3, at the beginning of line 17, change "this" to "the"

AMENDMENT NO. 4

On page 3, at the beginning of line 18, change "of" to "after"

AMENDMENT NO. 5

On page 3, line 19, after "submit" and after "board for" change "their" to "its"

AMENDMENT NO. 6

On page 15, delete line 12 in its entirety

AMENDMENT NO. 7

On page 16, at the beginning of line 7, delete "type"

AMENDMENT NO. 8

On page 22, after line 15, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. DeWitt, the amendments were adopted.

Motion

On motion of Rep. DeWitt, the above bill, as amended, was referred to the Legislative Bureau.

Page 4 HOUSE

30th Day's Proceedings - May 10, 1999

SENATE BILL NO. 660— BY SENATOR MALONE

AN ACT

To enact R.S. 32:1522, relative to hazardous materials transportation; to establish a hazardous materials emergency response program; to provide for funding of the emergency response program; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Durand moved that Senate Bill No. 660 be amended to conform with House Bill No. 1786 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Durand to Engrossed Senate Bill No. 660 by Senator Malone (Duplicate of H.B. No. 1786)

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in their entirety and insert the following:

"provide relative to the State Police Hazardous Materials Response Unit; to provide relative to response standards; to provide for rules and regulations; to provide for training activities; to provide relative to funding; to provide for the deposit of funds into the Right to Know Fund; and to provide"

AMENDMENT NO. 2

On page 1, at the end of line 11, delete "necessary"

AMENDMENT NO. 3

On page 2, line 3, change "program" to "Section"

AMENDMENT NO. 4

On page 2, at the beginning of line 4, change "supported" to "funded"

AMENDMENT NO. 5

On page 2, delete "those enforcement issues associated with" and insert "the enforcement of"

AMENDMENT NO. 6

On page 2, delete lines 6 and 7 in their entirety and insert "rail shipment laws. The funds"

On motion of Rep. Durand, the amendments were adopted.

Motion

On motion of Rep. Durand, the above bill, as amended, was referred to the Legislative Bureau.

Senate Concurrent Resolutions Reported by Committees

The following Senate Concurrent Resolutions reported by committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 26— BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct and require the Louisiana Department of Labor to conduct courses on judicial training for workers' compensation judges within the office of workers' compensation administration.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

On motion of Rep. DeWitt, the resolution was ordered passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

HOUSE BILL NO. 42—

BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 13:477(3) and 621.3, relative to the Third Judicial District; to add an additional judgeship to the Third Judicial District Court; to provide for election sections for the Third Judicial District; to provide relative to the terms of office of the judges; to provide for the effectiveness of such provisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 42 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, delete lines 16 through 19 and on page 2, delete lines 1 through 3 and insert the following:

"Election section one shall consist of precincts 1-A6, 1-A7, 1-B1, 1-B2, 1-B3, 1-C1, 1-C2, 1-C4, 1-C5, 1-D1, 1-D2, 1-E1, 1-E2, 1-E3, 1-E4, 3-5, 3-6, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-2, 5-3, and 5-4 of Lincoln Parish; and Union Parish. Election section two shall consist of precincts 1-A1, 1-A2, 1-A3, 1-A5, 1-C3, 1-D3, 1-D4, 1-F1, 1-F2, 1-F4, 1-G1, 1-G2, 2-A1, 2-A2, 2-A3, 2-A4, 2-A5, 2-A6, 2-B1, 2-B2, 2-B3, 3-1, 3-2, 3-3, and 3-4 of Lincoln Parish."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 117—

BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAUX, AND TRICHE

AN ACT

To amend and reenact R.S. 33:4574(A)(2)(l) and (C)(1)(a), 4574.1(C)(1), and 4574.1-A(A)(1)(l) and (B)(1) and R.S. 47:302.20(B), 322.24(B), and 332.39(B), relative to the Houma-

Terrebonne Tourist Commission; to change the name of such commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 117 by Representative Downer

AMENDMENT NO. 1

On page 2, line 6, after "(l)" delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 2

On page 2, at the end of line 17, delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 3

On page 3, line 5, delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 4

On page 3, line 17, after "(l)" delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 5

On page 3, at the end of line 23, delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 6

On page 4, at the beginning of line 1, delete "Houma-Terrebonne" and insert "Houma Area"

AMENDMENT NO. 7

On page 4, at the end of line 12, delete "Houma-" and at the beginning of line 13 delete "Terrebonne" and insert "Houma Area"

AMENDMENT NO. 8

On page 4, at the end of line 16, delete "Houma-" and at the beginning of line 17 delete "Terrebonne" and insert "Houma Area"

AMENDMENT NO. 9

On page 5, line 6, change "Houma-Terrebonne" to "Houma Area"

AMENDMENT NO. 10

On page 5, delete line 20 and insert "Houma Area"

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 118—

BY REPRESENTATIVES DOWNER, CLARKSON, AND DUPRE
AN ACT

To enact R.S. 33:4574(A)(4), relative to tourist commissions; to provide relative to the designation of tourist commissions; to provide relative to changes in such designation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 266—

BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 13:996.28(A) and (B), relative to the Judicial Expense Fund for the Ninth Judicial District Court; to provide for the allocation of additional costs in criminal cases to the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 369—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 26:78(A), relative to alcoholic beverage permits; to require the office of alcohol and tobacco control, upon the written request of an applicant for a permit, to obtain a certification from the Department of Revenue concerning the applicant's liability for delinquent sales taxes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 487—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 23:1221(4)(q), relative to workers' compensation; to delete the twenty-five percent disability requirement for eligibility for permanent partial disability benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

Page 6 HOUSE

30th Day's Proceedings - May 10, 1999

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 487 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2, after "To" change "repeal" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 2, after "compensation; to" change "repeal" to "delete"

AMENDMENT NO. 3

On page 1, at the end of line 4, before the period "." insert "; and to provide for related matters"

AMENDMENT NO. 4

On page 1, line 6, after "hereby" delete the remainder of the line and insert in lieu thereof "amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 1, between lines 6 and 7, insert the following:

"§1221. Temporary total disability; permanent total disability; supplemental earnings benefits; permanent partial disability; schedule of payments

Compensation shall be paid under this Chapter in accordance with the following schedule of payments:

* * *

(4) Permanent partial disability. In the following cases, compensation shall be solely for anatomical loss of use or amputation and shall be as follows:

* * *

(q) No benefits shall be awarded or payable in this Paragraph unless the percentage of the anatomical loss of use or amputation, as provided in Subparagraphs (a) through (o) of this Paragraph or the percentage of the loss of physical function as provided in Subparagraph (p) or (s) of this Paragraph is greater than twenty-five percent as established in the as established in the most recent edition of the American Medical Association "Guides to the Evaluation of Permanent Impairment", copyright 1984, by of the American Medical Association.

* * *

On motion of Rep. DeWitt, the amendments were adopted.

On motion of Rep. DeWitt, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 677—

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 49:170.5, relative to state symbols; to delete the prohibition on payment of royalties and the commercial usage of the state painting; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 732—

BY REPRESENTATIVES TOOMY, BARTON, BRUNEAU, CRANE, DONELON, FAUCHEUX, FRUGE, HEATON, JENKINS, KENNARD, LANCASTER, MARTINY, MICHOT, SCALISE, SHAW, WIGGINS, WINDHORST, AND WINSTON AND SENATORS DEAN, HAINKEL, LENTINI, AND ROMERO

AN ACT

To enact R.S. 15:1228 and 1229, relative to the Commission on Law Enforcement and Administration of Criminal Justice; to establish an automated victim notification system within the commission; to provide for the functions, powers, and duties of the system; to permit victims and their families to register for notification; to require other state and local agencies to report to the system; to provide for limitation of liability; to provide for contingency depending upon receipt of adequate funding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 732 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 7, after "system;" and before "and" insert "to provide for limitation of liability; to provide for contingency depending upon receipt of adequate funding;"

AMENDMENT NO. 2

On page 2, at the end of line 18, after "and" change "R.S. 15:2209" to "R.S. 15:1229."

AMENDMENT NO. 3

On page 3, between lines 5 and 6, insert the following:

"C. The automated victim notification system is provided as a service to victims of crime in Louisiana. The commission, or any unit of a local governing authority, or the state of Louisiana shall not be liable for the accuracy, timeliness, or completeness of the information contained in the system or the use of that information by any person.

D. The provisions of this Section requiring the creation, maintenance, and operation by the commission of the automated victim notification system shall be contingent upon receipt of adequate funding by the department specifically covering the costs of the system."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 760—

BY REPRESENTATIVES MCMAINS AND MCCAIN
AN ACT

To amend and reenact R.S. 13:1401(A)(2) and to repeal R.S. 13:1415, relative to family courts; to provide the family court for the parish of East Baton Rouge with exclusive jurisdiction over actions for partition of community property or property acquired pursuant to a matrimonial regime, actions seeking a termination or modification of a matrimonial regime, and actions for the enforcement of judicial or contractual settlements related to matrimonial regimes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 794—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:792 and 793(A), relative to the Alcoholic Beverage Control Law; to provide for the duties of the commissioner; to require written notice upon issuance of a citation; to provide for methods of service of notice; to provide for additional powers of the commissioner pertaining to Class A-Caterers Permit; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 794 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 26:792" and before the comma ", " insert "and 793(A)"

AMENDMENT NO. 2

On page 1, line 4, after "citation;" and before "and" insert "to provide for methods of service of notice; to provide for additional powers of the commissioner pertaining to Class A-Caterers Permit;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 26:792" change "is" to "and 793(A) are"

AMENDMENT NO. 4

On page 2, line 10, after "within" and before "business" change "three" to "seven"

AMENDMENT NO. 5

On page 2, line 16, after "requested," and before "and" insert "or by personal service on the person designated in Subparagraphs (1)(a)

through (d) of this Subsection"

AMENDMENT NO. 6

On page 2, line 19, after "violation," insert "When personal service is made, the designated person who was served shall sign a receipt acknowledging that personal service was received."

AMENDMENT NO. 7

On page 2, after line 19, insert the following:

"§793. Additional powers of the commissioner

A. The commissioner may provide by regulation for the issuance of three-day permits to serve alcoholic beverages at fairs, festivals, civic and fraternal and religious events, Mardi Gras events, and nonprofit functions. The permits shall be for a duration of three consecutive days only and no more than twelve such permits may be issued to any one person within a single calendar year. Fees for the permits shall be as provided by regulation. The commissioner may also provide by regulation for special designations on the regular Class A permits of persons who wish to service special events as caterers and serve alcoholic beverages at locations other than their licensed premises. The commissioner shall also provide by rule and regulation for the definition and issuance of a Class A-Caterers Permit for any person who does not otherwise qualify for a retail dealer permit pursuant to the provisions of R.S. 26:71.1 or R.S. 26:71.2. Any person holding a Class A-Caterers Permit shall not be authorized to sell alcoholic beverages to any wholesale or retail dealer licensed in accordance with this Title. The fees for a Class A-Caterers permit shall not exceed the fees for a Class A-Restaurant Permit set forth in R.S. 26:71(A). The commissioner shall adopt rules and regulations in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., to effectuate the purpose of this Section. Notwithstanding the provisions of R.S. 26:90(B), (C), (D), (E), (F), and (G) and R.S. 26:286(B), (C), (D), (E), (F), and (G) to the contrary, the commissioner may establish rules and regulations adopted pursuant to the Administrative Procedure Act authorizing the types of entertainment and employment allowed on a licensed premises.

* * *

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 960—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:48, relative to venue for offenses committed in the Gulf of Mexico; to provide venue for those offenses committed within and outside state waters; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

Page 8 HOUSE

30th Day's Proceedings - May 10, 1999

HOUSE BILL NO. 1075—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 33:1421(D), relative to sheriffs; to provide for an increase in compensation for sheriffs; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1075 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 3, after "sheriffs;" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 4 in its entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 5, before "and" delete "index;"

AMENDMENT NO. 4

On page 1, line 15, after "Section" delete the colon ":" and insert in lieu thereof a comma ", effective"

AMENDMENT NO. 5

On page 1, at the beginning of line 16, before "on" delete "(1) Effective"

AMENDMENT NO. 6

On page 2, delete lines 1 through 5 in their entirety

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1163—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 15:81, relative to bail for violations of municipal ordinances; to increase the bail limit in the Municipal Court of New Orleans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1230—

BY REPRESENTATIVE TOOMY

AN ACT

To enact Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9061, relative to neighborhood improvement districts; to authorize the governing authority of Jefferson Parish to create a special district for security and beautification purposes in the Timberlane, Timberlane Estates, and Timberlane Estate and Country Club subdivisions; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of any district tax; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 15:587.2, relative to criminal background investigations; to provide that certain entities working with children may require employees and volunteers to submit to criminal background investigations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1304 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "23:905" and insert in lieu thereof "15:587.2"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." delete "23:905" and insert in lieu thereof "15:587.2" and on line 8, delete "905" and insert "587.2"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, insert "A."

AMENDMENT NO. 4

On page 2, at the end of line 4, delete "attorney general's office." and insert in lieu thereof "office of state police."

AMENDMENT NO. 5

On page 2, after line 8, insert the following:

"B. Any person who is requested to comply with the requirements set forth in Subsection A and refuses to do so, shall be

prohibited from working with children as a volunteer or as a paid employee."

On motion of Rep. DeWitt, the amendments were adopted.

On motion of Rep. DeWitt, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1320—
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1410—
BY REPRESENTATIVES PIERRE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To repeal R.S. 40:1395.1, relative to the Department of Public Safety and Corrections; to repeal provisions requiring the department to provide and administer a policy of insurance against liability for false arrest and other acts.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1463—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 11:3442(8), relative to the Firemen's Pension and Relief Fund for the City of Shreveport; to provide with respect to benefits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Stelly, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1509—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to provide for the assignment of annexations in the city of Baton Rouge to elections sections of the City Court of Baton Rouge; to remove the termination date on the authority to provide for such assignments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1511—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 14:326(C), relative to parades, marches, or demonstrations; to exempt professional firefighter and police associations from permit requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1511 by Representative Barton

AMENDMENT NO. 1

On page 2, delete lines 9 and 10 and insert "Section shall apply only to"

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1516—
BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 33:2489.1, relative to municipal fire and police civil service in Baton Rouge; to authorize the police chief to appoint members of the classified police service to command positions; to provide for the qualifications, authority, and civil service status of such persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Page 10 HOUSE

30th Day's Proceedings - May 10, 1999

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1637—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 11:2269 and to enact R.S. 11:2254.1, relative to the Firefighters' Retirement System; to provide with respect to membership, service credit, and contributions and certain refunds thereof; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Conforming amendments proposed by House Committee on Retirement to Original House Bill No. 1637 by Representative Curtis (Duplicate of Senate Bill No. 953)

AMENDMENT NO. 1

On page 2, line 1, delete “No interest” and insert in lieu thereof “Interest”

AMENDMENT NO. 2

On page 2, line 1, delete “or” and insert in lieu thereof “and”

AMENDMENT NO. 3

On page 2, at the end of line 2, delete the period “.” and insert in lieu thereof “and such interest shall be calculated at the board approved actuarial valuation rate.”

AMENDMENT NO. 4

On page 3, line 1, between “United States” and “such” delete the comma “,” and insert “during the period from January 1, 1960 to December 31, 1975.”

AMENDMENT NO. 5

On page 3, line 1, change “they” to “he”

AMENDMENT NO. 6

On page 3, at the end of line 9, delete the period “.” and insert in lieu thereof “if the member's active duty service preceded such enrollment. Such employee contributions shall be calculated based on the annual rate of pay at the beginning of such active duty service if the member was already enrolled in this system at the time his active duty service began.”

On motion of Rep. Stelly, the amendments were adopted.

On motion of Rep. Stelly, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1651—

BY REPRESENTATIVES MURRAY, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, BARTON, GUILLORY, HUNTER, ODINET, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND BEAN

AN ACT

To amend and reenact R.S. 23:1474(I), 1514(A), 1515(A), 1535(B)

and (C), and 1592(E) and to enact R.S. 23:1474(J), 1514(D) and (E), 1535(D) and (E), and 1536(D)(3)(c) and (d) and (J), and 1553 (B)(8), (9), (10), and (11) and (D)(5), relative to unemployment compensation; to increase benefit amounts based upon the applied trust fund balance and direction of the fund; to increase the funds to be appropriated to the subaccount in the employment security administration fund for customized training; to provide for an incremental reduction in the employer contribution rate; to authorize an increase in the appropriation for the customized training fund in the social charge recoupment account; to authorize an increase in the appropriation for administrative costs in the social charge recoupment account; to provide for sunset provisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 1651 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, after “R.S.” delete the remainder of the line and on line 4 delete “and (9) and (D)(5),” and insert in lieu thereof “23:1474(J), 1514(D) and (E), 1535(D) and (E), and 1536(D)(3)(c) and (d) and (J), and 1553 (B)(8), (9), (10), and (11) and (D)(5),”

AMENDMENT NO. 2

On page 1, line 12, after “account;” insert “to provide for sunset provisions;”

AMENDMENT NO. 3

On page 1, line 15, after “R.S.” delete the remainder of the line and on line 16 delete “and 1553(B)(8) and (9) and (D)(5)” and insert in lieu thereof “23:1474(J), 1514(D) and (E), 1535(D) and (E), and 1536(D)(3)(c) and (d) and (J), and 1553(B)(8), (9), (10), and (11) and (D)(5)”

AMENDMENT NO. 4

On page 4, second column of the chart, after “dollars” insert “but less than one billion four hundred million dollars”

AMENDMENT NO. 5

On page 4, sixth column of the chart, after “forty” insert a hyphen “-”

AMENDMENT NO. 6

On page 4, add another row to the bottom of the chart as follows:

8	Equal to or greater than one billion four hundred million dollars	Upward or downward	seven thousand dollars	Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592 (C) and without five percent discount under R.S. 23:1592 (D), then multiply such amount by 1.05 and then multiply such amount by 1.20	Two hundred fifty-eight dollars	42.54	17.65
---	---	--------------------	------------------------	--	---------------------------------	-------	-------

AMENDMENT NO. 7

On page 4, before line 1, insert the following:

"J. Procedures 7 and 8 shall be considered pilot programs. They shall not be applied in any calendar year following 2003. In any year thereafter in which either Procedure 7 or 8 would otherwise have applied, Procedure 4 of Table A shall apply, notwithstanding the applied trust fund balance range. In addition, pursuant to R.S. 23:1536, the tax rate table shall be that which is the appropriate table for calendar years in which Procedure 4 is applied."

AMENDMENT NO. 8

On page 4, line 3, after "A.", insert "(1)"

AMENDMENT NO. 9

On page 5, at the beginning of line 1, after "to the" delete "fund" and insert in lieu thereof "Workforce Development Training Account."

AMENDMENT NO. 10

On page 5, after line 5, insert the following:

"(2) The administrator shall, not less than sixty days before the legislature convenes for its regular session, submit to the Joint Legislative Committee on the Budget, the House and Senate Committees on Labor and Industrial Relations, and the Workforce Commission. This report shall detail the number of applications received, the number of applications pending, the fund's expenditures, the employers and training entities participating, the number of persons trained with the monies, and the amount of increase in pay obtained by the trainees upon completion of training.

(3) Not less than annually, but as often as deemed appropriate by the legislative auditor, the administrator shall present a fiscal report to the legislative auditor.

* * *

D. Funds awarded pursuant to this Section shall not be expended or be available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, any state or federal appropriation to any public postsecondary institution

of higher education.

E. Notwithstanding any other provision of law to the contrary, in order to receive monies from the Workforce Development Training Account, an applicant may agree to:

(1) Increase the wages of those persons who complete the training funded with such monies; or

(2) Increase the number of employees; or

(3) Give preference to those currently unemployed when hiring new employees; or

(4) Provide in-kind match as a component of the training program.

Such agreement shall be taken into consideration in awarding the monies."

AMENDMENT NO. 11

On page 5, line 13, after "R.S. 23:1553(B)(7)" change "and (9)," to "(9), and (11),"

AMENDMENT NO. 12

On page 6, line 11, after "percent." delete the remainder of the line and delete lines 12 and 13 and insert in lieu thereof the following:

"D. For calendar years in which Procedure 7 or 8 apply, new employers shall not be charged for the amount of the social charge attributable to the Workforce Development Training Account provided for in R.S. 23:1553(B)(8) and (10).

E. For years in which Procedure 7 or 8 of R.S. 23:1474(I) apply, a new employer's rate shall be as provided in this Section, except the applicable rate table shall be that rate table applicable for Procedure 4."

AMENDMENT NO. 13

On page 6, delete lines 22 through 26 and delete pages 7 and 8 in their entirety and on page 9 delete lines 1 through 11 and insert the following:

"(c) In any calendar year in which Procedure 7 is applied, according to the provisions of R.S. 23:1474:

Employer's Reserve Ratio

<u>NEGATIVE RESERVE RATIO</u>	<u>RATE</u>
999.99 or more	6.00
500 but less than 999.99	4.05
300 but less than 500	4.02
200 but less than 300	3.98
100 but less than 200	3.94
30 but less than 100	3.90
28.0 but less than 30.0	3.86
26.0 but less than 28.0	3.82
24.0 but less than 26.0	3.79
22.0 but less than 24.0	3.76
20.0 but less than 22.0	3.73
15.0 but less than 20.0	3.70
14.0 but less than 15.0	3.11
13.0 but less than 14.0	3.09
12.0 but less than 13.0	3.08
11.0 but less than 12.0	3.06

Page 12 HOUSE

30th Day's Proceedings - May 10, 1999

<u>10.0 but less than 11.0</u>	<u>3.04</u>
<u>9.0 but less than 10.0</u>	<u>2.78</u>
<u>8.0 but less than 9.0</u>	<u>2.77</u>
<u>7.0 but less than 8.0</u>	<u>2.75</u>
<u>6.0 but less than 7.0</u>	<u>2.72</u>
<u>5.0 but less than 6.0</u>	<u>2.71</u>
<u>4.0 but less than 5.0</u>	<u>2.66</u>
<u>3.0 but less than 4.0</u>	<u>2.60</u>
<u>2.0 but less than 3.0</u>	<u>2.52</u>
<u>1.0 but less than 2.0</u>	<u>2.48</u>
<u>0.0 but less than 1.0</u>	<u>2.46</u>

POSITIVE RESERVE RATIO

<u>less than 0.4</u>	<u>2.41</u>
<u>0.4 but less than 0.8</u>	<u>2.40</u>
<u>0.8 but less than 1.2</u>	<u>2.39</u>
<u>1.2 but less than 1.6</u>	<u>2.39</u>
<u>1.6 but less than 2.0</u>	<u>2.37</u>
<u>2.0 but less than 2.4</u>	<u>2.36</u>
<u>2.4 but less than 2.8</u>	<u>2.34</u>
<u>2.8 but less than 3.2</u>	<u>2.33</u>
<u>3.2 but less than 3.6</u>	<u>2.31</u>
<u>3.6 but less than 4.0</u>	<u>2.29</u>
<u>4.0 but less than 4.4</u>	<u>2.28</u>
<u>4.4 but less than 4.8</u>	<u>2.26</u>
<u>4.8 but less than 5.0</u>	<u>2.25</u>
<u>5.0 but less than 5.2</u>	<u>2.23</u>
<u>5.2 but less than 5.4</u>	<u>2.22</u>
<u>5.4 but less than 5.6</u>	<u>2.14</u>
<u>5.6 but less than 5.8</u>	<u>2.03</u>
<u>5.8 but less than 6.0</u>	<u>1.80</u>
<u>6.0 but less than 6.2</u>	<u>1.64</u>
<u>6.2 but less than 6.4</u>	<u>1.57</u>
<u>6.4 but less than 6.6</u>	<u>1.42</u>
<u>6.6 but less than 6.8</u>	<u>1.34</u>
<u>6.8 but less than 7.0</u>	<u>1.30</u>
<u>7.0 but less than 7.2</u>	<u>1.15</u>
<u>7.2 but less than 7.4</u>	<u>1.03</u>
<u>7.4 but less than 7.6</u>	<u>0.96</u>
<u>7.6 but less than 7.8</u>	<u>0.92</u>
<u>7.8 but less than 8.0</u>	<u>0.76</u>
<u>8.0 but less than 8.2</u>	<u>0.65</u>
<u>8.2 but less than 8.4</u>	<u>0.57</u>
<u>8.4 but less than 8.6</u>	<u>0.46</u>
<u>8.6 but less than 8.8</u>	<u>0.38</u>
<u>8.8 but less than 9.0</u>	<u>0.31</u>
<u>9.0 but less than 9.2</u>	<u>0.27</u>
<u>9.2 but less than 9.5</u>	<u>0.19</u>
<u>9.5 or more</u>	<u>0.11</u>

(d) In any calendar year in which Procedure 8 is applied,
according to the provisions of R.S. 23:1474:

Employer's Reserve Ratio

<u>NEGATIVE RESERVE RATIO</u>	<u>RATE</u>
<u>999.99 or more</u>	<u>6.00</u>
<u>500 but less than 999.99</u>	<u>3.11</u>
<u>300 but less than 500</u>	<u>3.08</u>
<u>200 but less than 300</u>	<u>3.05</u>
<u>100 but less than 200</u>	<u>3.02</u>
<u>30 but less than 100</u>	<u>2.99</u>
<u>28.0 but less than 30.0</u>	<u>2.96</u>
<u>26.0 but less than 28.0</u>	<u>2.93</u>
<u>24.0 but less than 26.0</u>	<u>2.91</u>
<u>22.0 but less than 24.0</u>	<u>2.89</u>
<u>20.0 but less than 22.0</u>	<u>2.86</u>

<u>15.0 but less than 20.0</u>	<u>2.84</u>
<u>14.0 but less than 15.0</u>	<u>2.38</u>
<u>13.0 but less than 14.0</u>	<u>2.37</u>
<u>12.0 but less than 13.0</u>	<u>2.36</u>
<u>11.0 but less than 12.0</u>	<u>2.35</u>
<u>10.0 but less than 11.0</u>	<u>2.34</u>
<u>9.0 but less than 10.0</u>	<u>2.14</u>
<u>8.0 but less than 9.0</u>	<u>2.12</u>
<u>7.0 but less than 8.0</u>	<u>2.11</u>
<u>6.0 but less than 7.0</u>	<u>2.09</u>
<u>5.0 but less than 6.0</u>	<u>2.08</u>
<u>4.0 but less than 5.0</u>	<u>2.04</u>
<u>3.0 but less than 4.0</u>	<u>2.00</u>
<u>2.0 but less than 3.0</u>	<u>1.94</u>
<u>1.0 but less than 2.0</u>	<u>1.90</u>
<u>0.0 but less than 1.0</u>	<u>1.89</u>

POSITIVE RESERVE RATIO

<u>less than 0.4</u>	<u>1.85</u>
<u>0.4 but less than 0.8</u>	<u>1.84</u>
<u>0.8 but less than 1.2</u>	<u>1.84</u>
<u>1.2 but less than 1.6</u>	<u>1.83</u>
<u>1.6 but less than 2.0</u>	<u>1.82</u>
<u>2.0 but less than 2.4</u>	<u>1.81</u>
<u>2.4 but less than 2.8</u>	<u>1.80</u>
<u>2.8 but less than 3.2</u>	<u>1.78</u>
<u>3.2 but less than 3.6</u>	<u>1.77</u>
<u>3.6 but less than 4.0</u>	<u>1.76</u>
<u>4.0 but less than 4.4</u>	<u>1.75</u>
<u>4.4 but less than 4.8</u>	<u>1.74</u>
<u>4.8 but less than 5.0</u>	<u>1.73</u>
<u>5.0 but less than 5.2</u>	<u>1.71</u>
<u>5.2 but less than 5.4</u>	<u>1.70</u>
<u>5.4 but less than 5.6</u>	<u>1.64</u>
<u>5.6 but less than 5.8</u>	<u>1.56</u>
<u>5.8 but less than 6.0</u>	<u>1.38</u>
<u>6.0 but less than 6.2</u>	<u>1.26</u>
<u>6.2 but less than 6.4</u>	<u>1.20</u>
<u>6.4 but less than 6.6</u>	<u>1.09</u>
<u>6.6 but less than 6.8</u>	<u>1.03</u>
<u>6.8 but less than 7.0</u>	<u>1.00</u>
<u>7.0 but less than 7.2</u>	<u>0.88</u>
<u>7.2 but less than 7.4</u>	<u>0.79</u>
<u>7.4 but less than 7.6</u>	<u>0.73</u>
<u>7.6 but less than 7.8</u>	<u>0.70</u>
<u>7.8 but less than 8.0</u>	<u>0.59</u>
<u>8.0 but less than 8.2</u>	<u>0.50</u>
<u>8.2 but less than 8.4</u>	<u>0.44</u>
<u>8.4 but less than 8.6</u>	<u>0.35</u>
<u>8.6 but less than 8.8</u>	<u>0.29</u>
<u>8.8 but less than 9.0</u>	<u>0.23</u>
<u>9.0 but less than 9.2</u>	<u>0.21</u>
<u>9.2 but less than 9.5</u>	<u>0.15</u>
<u>9.5 or more</u>	<u>0.09"</u>

AMENDMENT NO. 14

On page 9, line 21, after "exceed" change "sixty" to "thirty-five"

AMENDMENT NO. 15

On page 9, line 26, after "subaccount to" change "sixty" to "thirty-five"

AMENDMENT NO. 16

On page 10, line 1, after "exceed" change "five" to "four"

AMENDMENT NO. 17

On page 10, line 21, after "according" insert "to"

AMENDMENT NO. 18

On page 10, between lines 24 and 25, insert the following:

"(10) Amounts not to exceed fifty million dollars to be credited to the Workforce Development Training Account as provided under R.S. 23:1514 shall be charged to this account only in any calendar year in which Procedure 8 is applied according to the provisions of R.S. 23:1474 and only in the amount necessary to bring the balance of unobligated funds in such subaccount to fifty million dollars.

(11)(a) Amounts not to exceed five million dollars to be credited to the Employment Security Administration Account as provided under R.S. 23:1515, for use expressly in the supplemental funding of personnel costs associated with specific unemployment insurance and employment security functions shall be restricted to those provided according to the provisions of this Chapter for the following:

- (i) Auditing of claims filed.
- (ii) Recovery of amounts overpaid to claimants.
- (iii) Auditing of experience-rating accounts.
- (iv) Recovery of delinquent contributions.
- (v) Disposition of appeals.
- (vi) Cash management and remittance processing.
- (vii) Field staffing.

(viii) Outreach to employers, employees, and unemployed persons.

(b) Such amounts shall not be expended or be available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in federal funds which in the absence of such monies would be made available for the administration of this Chapter. These amounts shall be charged to this account only in a calendar year in which Procedure 8 is applied according to the provisions of R.S. 23:1474 and when the administrator determines that inadequate funds are received from the unemployment insurance administrative grant to fund the functions listed above."

AMENDMENT NO. 19

On page 11, line 3, change "6.4" to "6.2"

AMENDMENT NO. 20

On page 11, at the end of line 9, after "hundred" change "forty-seven" to "fifty-eight"

On motion of Rep. DeWitt, the amendments were adopted.

On motion of Rep. DeWitt, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the major state calendar for Wednesday, May 12, 1999.

HOUSE BILL NO. 1660—

BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact R.S. 41:1081(A) and 1089, to enact R.S. 36:409(K) and Chapter 23 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2501 through 2505, and to repeal R.S. 36:259(N), relative to the creation of the Interagency Recreation Board; to create the board in the Department of Public Safety and Corrections; to provide for the powers, duties, functions, authority, and responsibilities of the board and the power and authority of the department; to authorize the board to construct, maintain, and operate certain recreational facilities on state land to provide recreation for state employees, patients at state institutions in rural areas, and citizens of Louisiana; to provide training and rehabilitation for inmates under the jurisdiction of the Department of Public Safety and Corrections; to provide for planning for and monitoring of the effectiveness of the facilities by the board; to authorize the transfer of the supervision, management, and use of certain state-owned lands, including timber, to the board; to authorize the board to sell timber on lands under its jurisdiction and to provide procedures therefor, including provisions for the use of the proceeds thereof for board purposes; to create and provide for the Interagency Recreation Board fund; to authorize the board to contract for maintenance and management of facilities as necessary or appropriate to implement its purposes and functions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1679—

BY REPRESENTATIVES MITCHELL, MONTGOMERY, AND GLOVER

AN ACT

To enact Part VI of Chapter 12 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4699.2, to create and comprehensively provide relative to the Shreveport Municipal Auditorium District Authority; to establish its purposes and geographical jurisdiction; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 33:423.10, relative to certain municipalities; to provide with respect to the powers and duties of the chief of police; to authorize said officer to effect certain disciplinary actions; and to provide for related matters.

Read by title.

Page 14 HOUSE

30th Day's Proceedings - May 10, 1999

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1879— BY REPRESENTATIVE QUEZAIRE AN ACT

To enact R.S. 33:7628, relative to the Louisiana Housing and Community Development Corporation; to prohibit such corporation from entering into contracts with certain persons and businesses; to provide relative to the letting of contracts and the procurement of goods and services by such corporation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1879 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 4, between "businesses;" and "and" insert "to provide relative to the letting of contracts and the procurement of goods and services by such corporation;"

AMENDMENT NO. 2

On page 1, line 8, after "\$7628." delete the remainder of the line and insert "The Louisiana Housing and Community Development Corporation, contracts, procurement"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, insert "A."

AMENDMENT NO. 4

On page 1, line 11, after "of a" delete the remainder of the line and delete lines 12 and 13 and insert the following:

"felony under the laws of the United States or with any business or legal entity in which such a person owns more than a five percent interest.

B. Such corporation shall let contracts in accordance with R.S. 38:2211 et seq. and shall procure goods and services in accordance with Chapters 16 and 17 of Title 39 of the Louisiana Revised Statutes of 1950."

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1930— BY REPRESENTATIVE LANDRIEU AN ACT

To amend and reenact R.S. 13:121 and 122, relative to the supreme court; to remove the limitation on the number of deputy clerks that the court may appoint; to delete the restriction on the number of deputy clerks in the salary provisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1930 by Representative Landrieu

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:121" and before the comma "," insert "and 122"

AMENDMENT NO. 2

On page 1, line 4, after "appoint;" and before "and" insert "to delete the restriction on the number of deputy clerks in the salary provisions;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 13:121" delete "is" and insert in lieu thereof "and 122 are"

AMENDMENT NO. 4

On page 1, after line 11, insert the following:

"§122. Salaries

The clerk and ~~two~~ deputy clerks of the supreme court shall receive from the state annual salaries which shall be established by the supreme court."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1943— BY REPRESENTATIVE BARTON AN ACT

To amend and reenact R.S. 13:1899(C)(7), (8), (9), (10), (11), (12)(a), (13), and (14) and to repeal R.S. 13:1899(C)(15), relative to the City Court of Bossier City; to specify a certain amount in court costs to fund the office of marshal; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 2020—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 40:1797, relative to law enforcement officers; to prohibit any law enforcement officer from possessing a firearm in a courtroom if he is a party to the proceeding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2020 by Representative Hunter

AMENDMENT NO. 1

On page 1, at the beginning of line 4, delete "under certain circumstances" and insert in lieu thereof "if he is a party to the proceeding"

AMENDMENT NO. 2

On page 1, at the end of line 9, after "officer" delete the remainder of the line in its entirety

AMENDMENT NO. 3

On page 1, line 10, before "shall" delete "he is performing his official duties"

AMENDMENT NO. 4

On page 1, line 13, after "proceeding" delete the remainder of the line in its entirety and insert a period "."

AMENDMENT NO. 5

On page 1, delete line 14 in its entirety

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2075—

BY REPRESENTATIVES BARTON, FAUCHEUX, AND WELCH
AN ACT

To amend and reenact R.S. 33:1981(B) and (C)(1) and 2201(C)(1), relative to benefits for survivors of certain firemen and law enforcement officers; to include volunteer firemen in the definition of firemen; to increase amounts to be paid as benefits; to provide relative to which firemen's families are entitled to such benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2075 by Representative Barton

AMENDMENT NO. 1

On page 1, at the end of line 3, add "to include volunteer firemen in the definition of firemen;"

AMENDMENT NO. 2

On page 1, line 14, after "firemen" insert "and all volunteer firemen."

AMENDMENT NO. 3

On page 1, at the end of line 15, before the period ".", add "or of any volunteer fire department"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2102—

BY REPRESENTATIVES BARTON, DOWNER, DUPRE, AND WESTON
AN ACT

To amend and reenact R.S. 33:9101(A) and (B)(4)(introductory paragraph), 9102, 9103(A)(1) and (E), 9105, and 9106(B)(1), and Section 5(A)(4) through (6) and (B) of Act No. 155 of the 1982 Regular Session of the Louisiana Legislature, as amended by Act No. 897 of the 1990 Regular Session, and Act No. 726 of 1995 Regular Session and Section 5(A)(1),(5), and (6) and (B)(1) of Act No. 788 of the 1979 Regular Session of the Louisiana Legislature, as amended by Act No. 441 of the 1981 Regular Session, Act No. 7 of the 1982 Regular Session, and Act No. 1241 of the 1995 Regular Session, to enact R.S. 33:9109, and to repeal Parts III through X of Chapter 31 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:9131, 9131.1, 9131.2, 9131.3, 9131.4, 9131.5, 9131.6, and 9131.7 respectively, relative to communications districts; to provide for the creation of multiparish communications districts and to authorize contracts between districts; to provide relative to the rate of the emergency telephone service charge on landline phones; to authorize the levy of an emergency telephone service charge on certain wireless communications systems; to provide for the use of such service charge for certain enhancements to 911 service and other purposes of the districts; to repeal certain existing authority for an emergency telephone service charge; to provide for the collection of the service charge; to provide for agreements between communications districts and service suppliers for the purpose of making technological enhancements; to provide relative to audits of the districts; to provide relative to standards of service, the sharing of certain confidential information, and the liability of the districts and the service suppliers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Page 16 HOUSE

30th Day's Proceedings - May 10, 1999

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 2102 by Representatives Barton, et al.

AMENDMENT NO. 1

On page 1, line 3, between "9106(B)(1)," and "to enact" insert "and Section 5(A)(4) through (6) and (B) of Act No. 155 of the 1982 Regular Session of the Louisiana Legislature, as amended by Act No. 897 of the 1990 Regular Session, and Act No. 726 of 1995 Regular Session and Section 5(A)(1),(5), and (6) and (B)(1) of Act No. 788 of the 1979 Regular Session of the Louisiana Legislature, as amended by Act No. 441 of the 1981 Regular Session, Act No. 7 of the 1982 Regular Session, and Act No. 1241 of the 1995 Regular Session,"

AMENDMENT NO. 2

On page 1, line 4, after "repeal" delete the remainder of the line and on line 5, delete "through 9127,"

AMENDMENT NO. 3

On page 1, line 8, after "respectively," delete the remainder of the line and delete lines 9 through 11 and at the beginning of line 12 delete "1950,"

AMENDMENT NO. 4

On page 3, at the beginning of line 5, insert "A."

AMENDMENT NO. 5

On page 4, line 3, insert the following:

"B. The purposes provided for in this Section shall apply to any district created pursuant to this Part or pursuant to Act No. 490 of the 1983 Regular Session of the Louisiana Legislature."

AMENDMENT NO. 6

On page 7, line 10, after "Paragraph" delete the comma "," and insert "or any other law to the contrary."

AMENDMENT NO. 7

On page 7, line 10, between "district" and "may" insert "created pursuant to this Part or to Act No. 490 of the 1983 Regular Session of the Louisiana Legislature"

AMENDMENT NO. 8

On page 7, line 12, between "Subsection" and "on a" insert "or such Act"

AMENDMENT NO. 9

On page 10, line 17, between "levies" and "on" insert "or is authorized to levy"

AMENDMENT NO. 10

On page 10, at the end of line 20, insert "If the district levies an emergency telephone service charge, tax, charge, surcharge, or fee on the effective date of this Section, it shall not be required to adopt a new ordinance or resolution except to change the rate thereof."

AMENDMENT NO. 11

On page 13, between lines 15 and 16, insert the following:

"(10) Any person or entity otherwise exempt from taxation shall be exempt from the service charge authorized by this Section."

AMENDMENT NO. 12

On page 13, line 18, after "service charge" delete the comma "," and insert "collected after the effective date of this Section."

AMENDMENT NO. 13

On page 13, delete lines 24 through 26 and on page 14 delete lines 1 and 2 and insert the following:

"(ii) No district shall make payment of a service suppliers' costs associated with the implementation of Phase I enhancements required by such order unless there is a cooperative endeavor agreement between the district and the supplier delimiting the cost of implementation to be recovered by the service supplier."

AMENDMENT NO. 14

On page 14, line 3, between "Once" and "net" insert "the district determines that"

AMENDMENT NO. 15

On page 16, between lines 12 and 13, insert the following:

"Section 2. Sections 5(A)(4) through (6) and (B) of Act No. 155 of the 1982 Regular Session of the Louisiana Legislature, as amended by Act No. 897 of the 1990 Regular Session, and Act No. 726 of 1995 Regular Session are hereby amended and reenacted to read as follows:

Section 5. Funding; definitions; emergency telephone service charge

A. As used in this Section, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

* * *

(4) "Exchange access facilities" means all lines ~~or their equivalent wireless service~~ provided by the service supplier for the provision of local exchange service.

(5) "Service supplier" means any person providing ~~(a) a landline exchange telephone service or (b) cellular telephone or telecommunications service, specialized mobile radio service, personal communications service, or any form of wireless telephone or telecommunications service now in existence and that may be provided or developed in the future;~~ and to which subscribers to such services have access to and can utilize a 911 emergency telephone system to any service user throughout the district.

(6) "Service user" means any person, not otherwise exempt from taxation who is provided ~~(a) a landline exchange telephone service or (b) cellular telephone or telecommunications service, specialized mobile radio service, personal communications service, or any form of wireless telephone or telecommunications service now in existence and that may be provided or developed in the future;~~ and to which subscribers to such service have access to and can utilize a 911 emergency telephone system in the district.

* * *

B. Emergency telephone tax

(1) The governing authority of the district may, when so authorized by a vote of a majority of the persons voting within the district in accordance with law, levy an emergency telephone service charge. The council of the city of New Orleans, when requested by a resolution of the commission, may call such a special election. Any such service charge shall:

(a) Have uniform application among service users of the same classifications.

(b) Be imposed throughout the entirety of the district to the greatest extent possible in conformity with the availability of such service in any area of the district.

(2) Such service charge to all service users shall be levied on a uniform flat-fee schedule of fixed rates for residential ~~and commercial and cellular or other wireless~~ telecommunication service provided such service charge may not exceed five percent of the tariff rate for each landline telephone exchange. ~~service or fixed location wireless service number and fifty cents per month for each cellular or nonfixed location wireless telecommunications service number.~~

~~(3) For cellular or other nonfixed location wireless telecommunications service users, such service charge shall be assessed against each cellular or other wireless phone number for which the billing address is within the boundaries of the district.~~

~~(4)~~ (3) The communication district shall not be required to convert to flat-rate service charges. If the district does not convert to flat rate, then the service charge shall not exceed five percent of the highest tariff rate. If the emergency telephone service charge is based on a percentage of tariff and the applicable tariff rate is repealed or no longer utilized, the service charge shall convert to a flat rate which equals the former tariff-based rate. The Orleans Parish Communication District may convert to flat-rate charges that do not exceed the rate of the emergency telephone tax for exchange access facilities or their equivalent, which has been approved by the voters of Orleans Parish, for each landline telephone exchange service line or fixed location wireless service number and forty cents for each cellular or nonfixed location wireless telecommunications service number without necessity of voter approval. In order for the district to adopt flat-rate service charges which exceed such rates, such increase must first be authorized by a vote of a majority of the persons voting within the district.

~~(5)~~ (4) If the proceeds generated by an emergency telephone service fee exceed the amount of monies necessary to fund the district, the commission shall, by resolution, reduce the rate to an amount adequate to fund the district. In lieu of reducing the rate, the commission may suspend such fee, if the revenues generated therefrom exceed the district's needs. The commission may by resolution, reestablish the original emergency telephone service fee, or lift the suspension thereof, if the amount of monies generated are not adequate to fund the district.

~~(6)(a)~~ (5)(a) No such service charge shall be imposed upon more than one hundred exchange access facilities per person per location.

(b) Every billed service user shall be liable for any service charge imposed under this Subsection until it has been paid to the service supplier. The duty of the service supplier to collect any such service charge shall commence upon the date of its implementation, which shall be specified in the resolution calling the election. Any such emergency telephone service charge shall be added to and may be stated separately in the billing by the service supplier to the service user.

~~(7)~~ (6) The service supplier shall have no obligation to take any legal action to enforce the collection of any emergency telephone

service charge. However, the service supplier shall annually provide the district governing authority with a list of the amount uncollected, together with the names and addresses of those service users who carry a balance that can be determined by the service supplier to be nonpayment of such service charge. The service charge shall be collected at the same time as the tariff rate or other regular charges in accordance with the regular billing practice of the service supplier. Good faith compliance by the service supplier with this provision shall constitute a complete defense to any legal action or claim which may result from the service suppliers' determination of nonpayment and/or the identification of service users in connection therewith.

~~(8)~~ (7) The amounts collected by the service supplier attributable to an emergency telephone service fee shall be due quarterly. The amount of tax collected in one calendar quarter by the service supplier shall be remitted to the commission no later than sixty days after the close of a calendar quarter. On or before the sixtieth day after the close of a calendar quarter, a return, in such form as the commission and the service supplier agree upon, shall be filed with the commission together with a remittance of the amount of service fee collected payable to the district. The service supplier shall maintain records of the amount of service fee collected for a period of at least two years from date of collection. The commission may at its expense require an annual audit of the service supplier's books and records with respect to the collection and remittance of the emergency telephone service fee. From the gross receipts to be remitted to the commission, the service supplier shall be entitled to retain as an administrative fee, an amount equal to one percent thereof.

(8) The levy of any emergency telephone service charge on wireless telecommunications service by the district after the effective date of this Paragraph shall be pursuant to and in accordance with R.S. 33:9109.

* * *

Section 3. Section 5(A)(1),(5), and (6) and (B)(1) of Act No. 788 of the 1979 Regular Session of the Louisiana Legislature, as amended by Act No. 441 of the 1981 Regular Session, Act No. 7 of the 1982 Regular Session, and Act No. 1241 of the 1995 Regular Session are hereby amended and reenacted to read as follows:

Section 5. Funding

A. Definitions. As used in this Section, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Exchange access facilities" means all facilities, ~~whether wired or wireless~~, provided by a service supplier which provides local telephone exchange access to a service user.

* * *

(5) "Service supplier" means any person providing ~~any of the following~~:

~~(a) A landline~~ exchange telephone service.

~~(b) Cellular telephone or telecommunications service; specialized mobile radio service; personal communications service; or any form of wireless telephone or telecommunications service now in existence or that may be provided or developed in the future, and to which subscribers to such service within the district have access and which can utilize the 911 emergency telephone system.~~

(6) "Service user" means any person, not otherwise exempt from taxation, who is provided ~~any of the following~~:

Page 18 HOUSE

30th Day's Proceedings - May 10, 1999

(a) ~~A landline exchange telephone service;~~

(b) ~~Cellular telephone or telecommunications service, specialized mobile radio service, personal communications service, or any form of wireless telephone or telecommunications service now in existence and that may be provided or developed in the future; and to which subscribers to such service within the district have access and which can utilize the 911 emergency telephone system.~~

* * *

B. Emergency telephone tax

(1)(a) The commission may, when so authorized by a vote of a majority of the persons voting within the district qualified to vote at an election for the purpose in accordance with law, levy an emergency telephone tax in an amount not to exceed:

(i) Five percent of the tariff rate if the tax is levied as a percentage of the tariff rate. If the district is served by more than one landline service supplier, the emergency telephone tax shall be based upon the highest tariff rate.

(ii) One dollar per month for each ~~wired or wireless~~ residential line, and two dollars per month for each ~~wired or wireless~~ business line. ~~The monthly service charge for cellular or specialized mobile radio service used at a nonfixed location shall be equal to the amount of the residential charge.~~

(b) The district may convert to flat rate taxes that do not exceed its previously authorized rate. The district shall not convert to flat rate taxes that exceed the previously authorized rate without being authorized to do so by a majority in number of the qualified electors of the district voting on a proposition providing for such increase at an election held for that purpose.

~~(c) The commission may, at its option, defer imposition of the emergency telephone tax on cellular and specialized mobile radio service users where such use is at a nonfixed location. For cellular or specialized mobile radio service users, if use is at a nonfixed location, such tax shall be assessed on each cellular or specialized mobile radio phone number for which the billing address is within the boundaries of the district. No such tax shall be imposed upon any wireless exchange access facility for any entity which holds eligibility in the Public Safety Radio Services as defined in 47 CFR 90.15 et seq.~~

~~(d)~~ (c) The commission may, upon its own initiative, call a special election and submit to the qualified voters of the district the question of authorizing the levy or increase of such a tax. The commission shall call such a special election when requested to do so by petition in writing signed by one-fourth of the electors qualified to vote at such election.

~~(e)~~ (d) Any such tax shall have uniform application among service users of the same classification and shall be imposed throughout the entirety of the district.

~~(f) If the district elects to apply the tax to service users of cellular telephone or telecommunications service, or specialized mobile radio service, which is not capable of providing automatic number identification (ANI) and automatic location identification (ALI), the total amount of taxes received by the district at that time shall not be increased as a result of the levy and collection of any such tax from any such users. To accomplish this, the district, at the time a tax is first levied and collected from such service users, shall make a one-time reduction in the amount of the tax rate on service users as defined in Subparagraph (a) of Paragraph (6) of Subsection A so that the total amount of taxes received by the district are not~~

~~increased as a result of the levy of the tax on the additional users. Thereafter, such tax rates shall remain in effect unless changed or increased in a manner provided by law.~~

(e) The levy of any emergency telephone service charge on wireless telecommunications service by the district after the effective date of this Paragraph shall be pursuant to and in accordance with R.S. 33:9109.

* * *

AMENDMENT NO. 16

On page 16, delete line 13 and insert "Section 4."

AMENDMENT NO. 17

On page 16, line 16, after "respectively," delete the remainder of the line and on line 17 delete "Regular Session of the Louisiana Legislature"

AMENDMENT NO. 18

On page 16, delete lines 19 through 22

AMENDMENT NO. 19

On page 16, line 26, between "hundred" and "days" change "twenty" to "eighty"

AMENDMENT NO. 20

On page 17, at the end of line 3, insert "Any district levying or authorized to levy an emergency telephone service charge in excess of eighty-five cents shall continue to levy such rate, and the service suppliers shall continue to collect and remit such rate in accordance with the provisions of R.S. 33:9109(C)(2) without necessity of providing the notice otherwise required by R.S. 33:9109(C)(7)(a)."

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2127—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Section 2 of Act No. 614 of the 1972 Regular Session of the Louisiana Legislature, as amended by Act No. 85 of the 1985 Regular Session of the Louisiana Legislature, relative to the Southwest Louisiana Convention and Visitors Bureau; to provide relative to the directors who govern the district; to provide relative to the nomination, qualifications, and appointment of directors; to limit the number of consecutive terms a director may serve; to provide requirements for retaining a directorship and relative to vacancies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Weston, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 2136—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 11:471(B), (D), and (E)(1), 701(25), 1151(D), and 1318, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to benefits and the classification of certain benefit recipients; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Stelly, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 2192—

BY REPRESENTATIVES RIDDLE, FAUCHEUX, AND ROMERO

AN ACT

To enact R.S. 33:1556(I) and (J) and to repeal R.S. 33:1559, relative to funding of coroners; to provide for the salaries of certain coroners; to provide for criteria in determining the computation of a parish's population; to provide for payment of office expenses of certain coroners; to provide for the payment of certain coroner's fees; to repeal extra compensation for coroners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2192 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 3, after "certain coroners;" and before "to" insert "to provide for criteria in determining the computation of a parish's population;"

AMENDMENT NO. 2

On page 1, line 13, after "than" and before "thousand" change "ninety" to "fifty"

AMENDMENT NO. 3

On page 2, line 9, after "be" and before "thousand" change "fifty" to "forty"

AMENDMENT NO. 4

On page 2, line 10, after "be" and before "thousand" change "twenty-five" to "twenty"

AMENDMENT NO. 5

On page 2, at the beginning of line 12, change "(3)(a)" to "(3)(a)(i)"

AMENDMENT NO. 6

On page 2, line 17, after "Under 26,000" and before "\$1.25 per person" change "\$1.25 per person" to "\$2.75 per person"

AMENDMENT NO. 7

On page 2, line 18, after "26,001-50,000" and before "\$1.00 per person" change "\$1.00 per person" to "\$2.00 per person"

AMENDMENT NO. 8

On page 2, delete lines 19 and 20 in their entirety

AMENDMENT NO. 9

On page 2, between lines 20 and 21, insert the following:

"(ii) In addition to the computation method and procedures set forth in Paragraph (1) of this Subsection, when computing the population of a parish to determine the salary range as set forth in Item (i) of this Paragraph, any inmate placed within the custody of the Department of Public Safety and Corrections who is housed on January first of each year in any institution, facility, jail, prison, detention facility, or any other similar facility located within the parish, whether private or public, shall also be included when the computations are made for that parish's population."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2200—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 38:2313.1, relative to the administration of community development block grant funds; to provide that the division of administration shall adopt rules requiring recipients of certain monies to have open solicitation for provision of administrative service; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 2200 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert in lieu thereof "38:2313.1, relative to the administration of community development block grant funds;"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "agencies;"

AMENDMENT NO. 3

On page 1, line 3, change "Department of Labor" to "division of administration"

Page 20 HOUSE

30th Day's Proceedings - May 10, 1999

AMENDMENT NO. 4

On page 1, line 7, after "R.S." delete "23:66(C)" and insert in lieu thereof "38:2313.1"

AMENDMENT NO. 5

On page 1, delete lines 8 through 13 in their entirety and insert in lieu thereof the following:

"§2313.1. Division of administration; administrative rules

The division of administration shall promulgate rules and regulations, in accordance with the Administrative Procedure Act, to require recipients of community development block grant funding, which flow through the division of administration, to engage in open solicitation of professional services for the administration of the grant monies."

On motion of Rep. DeWitt, the amendments were adopted.

On motion of Rep. DeWitt, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2235—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 33:4574(G), relative to tourist commissions; to authorize tourist commissions to enter into contracts for the employment of an executive director; to provide the terms of the contract; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 2235 by Representative Holden

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"Section 2. This Act is interpretive in nature and shall have retroactive and prospective effect."

AMENDMENT NO. 2

On page 2, at the beginning of line 16, change "Section 2." to "Section 3."

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2240—

BY REPRESENTATIVE MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:996.36(A), relative to judicial expense funds; to increase the fees or costs which may be assessed for the judicial expense fund in the 18th Judicial District; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 2266 (Substitute for House Bill No. 2240 by Representative Marionneaux)—

AN ACT

To enact R.S. 13:996.36.5, relative to judicial expense funds; to authorize a certain judicial district to assess additional fees or costs; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the substitute was adopted and became House Bill No. 2266 by Rep. Marionneaux, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 2240 by Rep. Marionneaux.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 2242—

BY REPRESENTATIVE CURTIS

AN ACT

To enact R.S. 33:2740.46, relative to the city of Alexandria; to create the Alexandria Central Economic Development District in Alexandria; to provide relative to the governance of such district; to provide for the authority of the district, including the preparation of redevelopment plans and the execution of redevelopment programs; to provide relative to funds for the district including funds from taxes, contributions, and the issuance of bonds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 2242 by Representative Curtis

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "downtown"

On motion of Rep. Weston, the amendments were adopted.

On motion of Rep. Weston, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 2251—

BY REPRESENTATIVES FLAVIN AND COPELIN

AN ACT

To enact R.S. 11:416(A)(1)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retirees and benefits and limited exemptions from the suspension or reduction thereof; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Stelly, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2255—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 11:592 and 1307(B), relative to commissioned members of the Louisiana Department of Wildlife and Fisheries law enforcement division and state police officers; to allow certain retiring members of the Louisiana Department of Wildlife and Fisheries law enforcement division to purchase their firearm; to allow retiring state police officers to purchase their firearm from the office of state police; to provide for a valuation of the firearms; to provide for length of service requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 2255 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before the comma "," delete "R.S. 11:1307(B)" and insert in lieu thereof "R.S. 11:592 and 1307(B)"

AMENDMENT NO. 2

On page 1, line 2, after "to" and before "state" insert "commissioned members of the Louisiana Department of Wildlife and Fisheries law enforcement division and"

AMENDMENT NO. 3

On page 1, line 2, after "officers;" and before "to" insert "to allow certain retiring members of the Louisiana Department of Wildlife and Fisheries law enforcement division to purchase their firearm;"

AMENDMENT NO. 4

On page 1, line 4, after "police;" and before "and" insert "to provide for a valuation of the firearms; to provide for length of service requirements;"

AMENDMENT NO. 5

On page 1, line 6, after "Section 1." and before "hereby" delete "R.S. 11:1307(B) is" and insert in lieu thereof "R.S. 11:592 and 1307(B)

are"

AMENDMENT NO. 6

On page 1, between lines 6 and 7, insert the following:

"§592. Retirement; purchase of firearm

Any member of the system who is a commissioned member of the Louisiana Department of Wildlife and Fisheries law enforcement division who has at least twenty years of active service and who retires under the provisions of R.S. 11:582 shall be entitled to purchase his firearm at the appraised value from the Department of Wildlife and Fisheries, upon retirement, subject to the approval of the chief of the law enforcement division.

* * *

AMENDMENT NO. 7

On page 1, line 11, after "police" and before "shall" insert "who has at least twenty years of active service and who retires under the provisions of this Section"

AMENDMENT NO. 8

On page 1, at the end of line 11, after "firearm" insert "at the appraised value"

AMENDMENT NO. 9

On page 1, at the end of line 13, after "of the" delete "Superintendent" and delete line 14 in its entirety and insert in lieu thereof "deputy secretary of public safety services of the department."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2265 (Substitute for House Bill No. 180 by Representative Wiggins)—

BY REPRESENTATIVE WIGGINS

AN ACT

To enact Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401, to provide for the development and implementation of a program for educating students in public and nonpublic elementary and secondary schools about the potential problems associated with gaming and gambling; and to provide for related matters.

Read by title.

On motion of Rep. Wiggins, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

Page 22 HOUSE

30th Day's Proceedings - May 10, 1999

SENATE BILL NO. 1024 (Substitute for Senate Bill No. 248 by Senator Dardenne)—

BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 17:7(22), 3911(B), and 3912, and to repeal R.S. 17:3911(C)(5), relative to annual data collection and reporting requirements of the state Department of Education; to provide relative to the indicators contained in the progress profiles; to provide relative to the information collected in the data collection and analysis; to delete the required inclusion of certain inventory reporting requirements in the data collection system; to provide relative to first-time freshman performance reporting requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 1024 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 4, at the end of line 16, change the period "." to a comma "," and add "including suspensions and expulsions."

AMENDMENT NO. 2

On page 4, after line 27, insert the following:

"(3) Each city and parish school board shall ensure that all schools under its jurisdiction accurately report student discipline information, including referrals by teachers for serious disciplinary offenses, using the uniform reporting form developed by the State Board of Elementary and Secondary Education in accordance with the provisions of R.S. 17:416(A)(4)(iii). Each board shall have school-level summaries of the reported student discipline information prepared for its use and shall formally review and analyze the summary information on a regular basis. Upon request by the state Department of Education, the student discipline information required by this Paragraph also shall be collected as part of the data collection system provided for by this Section."

AMENDMENT NO. 3

On page 8, line 1, after "D.(1)" delete the remainder of the line and delete lines 2 through 7 and insert in lieu thereof the following:

"Annually, each state college and university shall report to the State Board of Elementary and Secondary Education this information pertaining to student remediation the performance of its students who are enrolled as first-time freshmen at that college or university, including remediation rates. Such performance information shall be categorized by high school in a format approved by the State Board of Elementary and Secondary Education. Additionally, the board annually shall request comparable information from each independent college or university in the state that is a member of the Louisiana Association of Independent Colleges and Universities."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1024 by Senator Dardenne

AMENDMENT NO. 1

On page 5, line 26, following "of" change "their profiles" to "its profile"

AMENDMENT NO. 2

On page 6, line 4, following "profiles" and before "to" delete "shall be provided"

On motion of Rep. McDonald, the amendments were adopted.

On motion of Rep. McDonald, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Privilege Report of the Legislative Bureau

May 10, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 206
Reported with amendments.

Senate Bill No. 269
Reported without amendments.

Senate Bill No. 270
Reported with amendments.

Senate Bill No. 297
Reported without amendments.

Senate Bill No. 321
Reported with amendments.

Senate Bill No. 407
Reported without amendments.

Senate Bill No. 521
Reported with amendments.

Senate Bill No. 522
Reported with amendments.

Senate Bill No. 557
Reported with amendments.

Senate Bill No. 623
Reported without amendments.

Senate Bill No. 697
Reported without amendments.

Senate Bill No. 753
Reported without amendments.

Senate Bill No. 788
Reported without amendments.

Senate Bill No. 852

Reported with amendments.

Senate Bill No. 919
Reported without amendments.

Senate Bill No. 923
Reported without amendments.

Senate Bill No. 953
Reported with amendments.

Respectfully submitted,

JOE SALTER
Chairman

Suspension of the Rules

On motion of Rep. McDonald, the rules were suspended in order to take up Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

SENATE BILL NO. 297 (Duplicate of House Bill No. 1792)—
BY SENATOR GREENE AND REPRESENTATIVE McDONALD AND
COAUTHORED BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 17:46(A) through (G) and (N), 1171(A), 1172 through 1177, and 1184, relative to sabbatical leave for teachers and college faculty; to repeal the authority for the granting of such leaves for rest and recuperation; to provide relative to the effect of such repeal on leaves previously granted; to provide for the granting of medical sabbatical leaves; to provide for the application and eligibility requirements for such medical sabbatical leaves; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. McDonald, the bill was ordered passed to its third reading.

Under the rules, placed on the major state calendar for Wednesday, May 12, 1999.

Suspension of the Rules

On motion of Rep. Triche, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Local and Consent Calendar

HOUSE BILL NO. 603—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 24:554, relative to the powers of the Legislative Audit Advisory Council; to provide for the issuance of reports of findings of noncompliance with recommendations of the legislative auditor in an audit report; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Triche, the bill was returned to the calendar.

HOUSE BILL NO. 1167—
BY REPRESENTATIVES JOHN SMITH AND HUDSON
AN ACT

To amend and reenact R.S. 40:39.1, relative to vital records; to provide for the issuance of birth and death certificates by clerks of court; to provide for rules and regulations; and to provide for related matters.

Read by title.

Rep. John Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pratt
Alario	Guillory	Quezaire
Alexander	Hammett	Riddle
Ansardi	Heaton	Romero
Barton	Hebert	Salter
Baudoin	Hill	Scalise
Baylor	Holden	Schneider
Bowler	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Johns	Sneed
Clarkson	Kennard	Stelly
Copelin	Kenney	Theriot
Crane	Lancaster	Thompson
Curtis	Landrieu	Thornhill
Damico	Long	Toomy
Daniel	Marionneaux	Travis
Denville	Martiny	Triche
DeWitt	McCain	Waddell
Diez	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Wiggins
Durand	Mitchell	Wilkerson
Farve	Montgomery	Willard
Faucheux	Morrell	Windhorst
Flavin	Murray	Winston
Fontenot	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Pierre	
Glover	Pinac	
Total—94		

NAYS

Total—0

ABSENT

Gautreaux	LeBlanc	Powell
Jenkins	Morrish	Strain
Jetson	Perkins	Weston
Total—9		

Page 24 HOUSE

30th Day's Proceedings - May 10, 1999

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. John Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1224—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 30:5.1, relative to unitization of oil and gas wells; to provide for deep pool units; to provide procedures, terms, and conditions; to provide for rules and regulations; to provide for certain orders of the commissioner of conservation; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, and under a suspension of the rules, the bill was placed on the regular calendar.

HOUSE BILL NO. 1774—

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

To enact Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2741 through 2745, relative to public health; to create the Louisiana Healthy People 2010 Planning Council in the Department of Health and Hospitals; to provide for the office of public health in the Department of Health and Hospitals to design a process for a state plan for Healthy People 2010 prior to the convening of the council; to provide for the council to convene and further develop and achieve the final implementation of the Louisiana Healthy People 2010 State Plan; to provide for legislative findings; to provide for powers, duties, and functions of the council; to provide for membership of the council; to provide for periodic reports to the legislature; to provide for termination of the council; and to provide for related matters.

Read by title.

Rep. Durand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed House Bill No. 1774 by Representative Durand

AMENDMENT NO. 1

On page 8, between lines 2 and 3, insert the following:

"(24) The executive director of the Louisiana Board of Pharmacy or his designee."

On motion of Rep. Durand, the amendments were adopted.

Rep. Durand moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario

Guillory
Hammett

Perkins
Pierre

Alexander
Ansardi
Barton
Baudoin
Baylor
Bowler
Bruce
Bruneau
Carter
Chaisson
Clarkson
Copelin
Crane
Curtis
Damico
Daniel
Dewille
DeWitt
Doerge
Donelon
Durand
Farve
Faucheux
Flavin
Fontenot
Frith
Fruge
Gautreaux
Glover
Green
Total—96

Heaton
Hebert
Hill
Holden
Hopkins
Hudson
Hunter
Iles
Jenkins
Johns
Kennard
Kenney
Lancaster
Landrieu
LeBlanc
Long
Marionneaux
Martiny
McCain
McCallum
McDonald
McMains
Michot
Mitchell
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Pinac
Powell
Pratt
Quezaire
Riddle
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Sneed
Stelly
Thompson
Thornhill
Toomy
Travis
Triche
Waddell
Walsworth
Warner
Welch
Wiggins
Wilkerson
Willard
Winston
Wooton
Wright

NAYS

Windhorst
Total—1

ABSENT

Diez
Dupre
Total—6

Jetson
Strain

Theriot
Weston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 603—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 24:554, relative to the powers of the Legislative Audit Advisory Council; to provide for the issuance of reports of findings of noncompliance with recommendations of the legislative auditor in an audit report; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Triche moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Denville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Nevers	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Green	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Donelon	Mitchell	Weston
Jetson	Strain	Willard
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1802—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 24:511(A), relative to the qualifications of the legislative auditor; to require that the legislative auditor be a licensed certified public accountant; and to provide for related matters.

Read by title.

Rep. Triche moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Denville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Faucheux	Mitchell	Welch
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Guillory	Pierre	
Total—98		

NAYS

Total—0

ABSENT

Clarkson	Jetson	Weston
Donelon	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 2055—

BY REPRESENTATIVE WINDHORST
AN ACT

To provide that the Jefferson Parish School Board may name an Air Force Junior Reserve Officer Training Corps program building at West Jefferson High School in honor of Colonel Louis B. Cole; and to provide for related matters.

Read by title.

Rep. Windhorst moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Page 26 HOUSE

30th Day's Proceedings - May 10, 1999

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinot	Wright
Green	Perkins	
Guillory	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Clarkson	Jetson	Strain
Donelon	Stelly	Weston
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Windhorst moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 2057—

BY REPRESENTATIVE WIGGINS AND SENATOR ELLINGTON
AN ACT

To authorize and provide for the lease of certain state property in Rapides Parish to the city of Pineville from the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Rep. Wiggins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Deville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Faucheux	Mitchell	Welch
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Donelon	Strain
Jetson	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wiggins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Regular Calendar

HOUSE BILL NO. 1924—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 33:1426 and to enact R.S. 15:708(A)(5), relative to inmate labor; to authorize a sheriff to contract with the United States government to provide certain services; to authorize a sheriff to use inmate labor to work on flood gates or locks situated on a waterway within a parish; and to provide for related matters.

Read by title.

Rep. Copelin sent up floor amendments which were read as

follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1924 by Representative Durand

AMENDMENT NO. 1

On page 1, line 14, after "this state," insert "except the parish of Orleans,"

AMENDMENT NO. 2

On page 2, line 25, after "any parish" insert "except the parish of Orleans"

On motion of Rep. Copelin, the amendments were withdrawn.

Rep. Copelin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1924 by Representative Durand

AMENDMENT NO. 1

On page 2, at the end of line 6, add:

"Nothing contained in this Section shall authorize the criminal sheriff of Orleans Parish to contract for any inmate to perform manual labor upon any floodgate or lock situated on the Industrial Canal."

On motion of Rep. Copelin, the amendments were adopted.

Rep. Farve sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farve to Engrossed House Bill No. 1924 by Representative Durand

AMENDMENT NO. 1

On page 2, line 8, delete "no"

AMENDMENT NO. 2

On page 2, line 10, delete "nor" and insert "and"

AMENDMENT NO. 3

On page 2, delete lines 14 through 18 and insert "agent. No provision"

Motion

Rep. Travis moved the previous question be ordered on the entire subject matter.

As a substitute motion, Rep. Murray moved that the previous question be ordered on the amendments.

Rep. Bruneau objected.

The vote recurred on the substitute motion.

By a vote of 50 yeas and 43 nays, the House agreed to order the previous question on the amendments.

Rep. Farve moved the adoption of the amendments.

Rep. Durand objected.

By a vote of 28 yeas and 67 nays, the amendments were rejected.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 1924 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, after R.S. 15:708(A)(5) delete the comma "," and insert "and F,"

AMENDMENT NO. 2

On page 1, line 6, after "parish;" insert "to prohibit inmate labor for private contractors;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 15:708(A)(5)" delete "is" and insert "and F are"

AMENDMENT NO. 4

On page 2, between lines 21 and 22, insert:

"F. Notwithstanding any provision of law to the contrary, no prisoner sentenced to a parish prison and no prisoner in a parish prison awaiting transfer to a state correctional facility shall perform any labor for a private contractor."

* * *

On motion of Rep. Murray, the amendments were adopted.

Rep. Durand moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Iles	Schneider
Bruce	Jenkins	Schwegmann
Bruneau	Johns	Shaw
Carter	Kennard	Smith, J.D.—50th
Chaisson	Kenney	Smith, J.R.—30th
Clarkson	Lancaster	Sneed
Copelin	Landrieu	Stelly
Crane	LeBlanc	Theriot

Page 28 HOUSE

30th Day's Proceedings - May 10, 1999

Curtis	Long	Thompson
Damico	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Waddell
Doerge	McMains	Walsworth
Dupre	Michot	Warner
Durand	Montgomery	Welch
Fauchaux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—95		

NAYS

Farve	Hunter
Total—2	

ABSENT

Donelon	Jetson	Strain
Glover	Mitchell	Weston
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 276—

BY REPRESENTATIVES FRUGE AND MCMAINS

A JOINT RESOLUTION

Proposing to amend Article I, Section 22 of the Constitution of Louisiana, to provide for the right to a trial by jury in civil matters, under conditions and procedures provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Fruge, the bill was returned to the calendar.

HOUSE BILL NO. 292—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:771(3), (4), (5), (6), (7), (12), (15), (16)(a), and (18), 772(F)(8), 773(A)(5) and (7)(a), 773.1(A)(1) and (2)(a), (b), (c), (d), (f), (g), (h), (i), (j), and (l)(introductory paragraph) and (B), 773.2(A), (B), and (C), 774(A), (B)(3), (D)(2), (E), (G)(1), and (J)(1), (3), and (4), 775(A)(3) and (F)(2) and (3), 776(A)(2) and (C)(1)(a), 779, and 780(A) and (D) and to enact R.S. 32:760(A)(7)(c), 772(F)(9), 775(A)(7)(f), (g), and (h), and 777(D), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for grounds to deny application for, revoke, or suspend licenses; to provide for definitions; to provide for the powers and duties of the commission; to provide relative to licensure of dealers, manufacturers, and distributors; to provide relative to certain unlawful acts; to provide for the repurchase of certain vehicles and parts; to provide for certain educational requirements for

licensure; to provide relative to fees for licensure; to provide for bonding; to provide for fines and penalties; to provide for procedures for denial, suspension, or revocation of licenses; to provide for the issuance of cease and desist orders; and to provide for related matters.

Read by title.

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed House Bill No. 292 by Representative Travis

AMENDMENT NO. 1

On page 1, line 8, change "775(A)(7)(f), (g), and (h)" to "775(A)(7)(f)."

AMENDMENT NO. 2

On page 2, line 9, change "775(A)(7)(f), (g)," to "775(A)(7)(f)."

AMENDMENT NO. 3

On page 2, at the beginning of line 10, delete "and (h)."

AMENDMENT NO. 4

On page 20, delete lines 19 and 20 in their entirety.

AMENDMENT NO. 5

On page 20, line 21, change "(g)" to "(f)"

AMENDMENT NO. 6

On page 20, delete lines 23 and 24 in their entirety.

On motion of Rep. Hopkins, the amendments were withdrawn.

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed House Bill No. 292 by Representative Travis

AMENDMENT NO. 1

On page 20, line 20, after "within" and before "days" change "twenty" to "sixty"

AMENDMENT NO. 2

On page 20, line 23, after "one" and before "temporary" insert "ninety-day"

On motion of Rep. Hopkins, the amendments were adopted.

Rep. Travis moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Faucheux	Mitchell	Welch
Flavin	Montgomery	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Total—96		

NAYS

Total—0

ABSENT

Damico	Martiny	Weston
Donelon	Morrell	
Jetson	Strain	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 293—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:772(F)(1), (2), and (5), relative to motor vehicle shredders; to exempt motor vehicle shredders from certain powers and duties of the Louisiana Used Motor Vehicle and Parts Commission; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Hopkins	Romero
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schneider
Bruce	Jenkins	Schwegmann
Bruneau	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Sneed
Copelin	Lancaster	Stelly
Crane	Landrieu	Theriot
Curtis	LeBlanc	Thompson
Daniel	Long	Thornhill
Denville	Marionneaux	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Green	Pierre	
Guillory	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Damico	Holden	Strain
Donelon	Martiny	Weston
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 349—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:778, relative to licensure by the Used Motor Vehicle and Parts Commission; to provide relative to the exemption from licensure of licensees of the Louisiana Motor Vehicle Commission; and to provide for related matters.

Read by title.

Rep. Travis sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Page 30 HOUSE

30th Day's Proceedings - May 10, 1999

Amendments proposed by Representative Travis to Engrossed House Bill No. 349 by Representative Travis

AMENDMENT NO. 1

On page 2, at the end of line 5, insert the following:

"However, nothing herein shall be construed to prohibit a motor vehicle dealer licensed by the Louisiana Motor Vehicle Commission or licensed pursuant to this Chapter from dispensing any property at retail for which he has taken in trade for the sale of a motor vehicle."

On motion of Rep. Travis, the amendments were adopted.

Rep. Travis moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Doerge	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Odinot	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Total—96		

NAYS

Total—0

ABSENT

Damico	Mitchell	Weston
Donelon	Nevers	
Martiny	Strain	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 350—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:2721(B) and to enact R.S. 9:2721(C), relative to the recordation of transfers of immovable property; to require that certain taxpayer information be included with the act of sale; to provide that certain taxpayer information be supplied to the tax assessor; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Hebert	Powell
Alexander	Hill	Pratt
Ansardi	Holden	Quezaire
Barton	Hopkins	Romero
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schneider
Bruce	Jenkins	Schwegmann
Bruneau	Kennard	Shaw
Carter	Kenney	Smith, J.D.—50th
Chaisson	Lancaster	Smith, J.R.—30th
Clarkson	Landrieu	Sneed
Copelin	LeBlanc	Stelly
Crane	Long	Thompson
Curtis	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Waddell
Doerge	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Glover	Odinot	Winston
Green	Perkins	Wooton
Guillory	Pierre	Wright
Total—90		

NAYS

Riddle	Theriot
Total—2	

ABSENT

Damico	Gautreaux	Nevers
Donelon	Heaton	Strain
Dupre	Jetson	Weston
Flavin	Johns	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 406—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 47:463.57, 463.58, and 463.59 relative to motor vehicles; to provide relative to license plates; to create the Native American prestige license plate; to create the American-Italian Renaissance Foundation prestige license plate; to create the Bellsouth Volunteers prestige license plate; to provide relative to the fee for such plates; to provide relative to donations; to designate the use of such donations; to require the establishment of certain scholarship programs relative to the Native American prestige license plate; to provide relative to the design of such plates; to authorize promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Sneed
Crane	Landrieu	Stelly
Curtis	LeBlanc	Theriot
Daniel	Long	Thompson
Denville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Faucheux	Mitchell	Welch
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Frige	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Guillory	Pierre	
Total—98		

NAYS

Total—0

ABSENT

Damico	Jetson	Weston
--------	--------	--------

Donelon	Strain
Total—5	

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 520—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide relative to elected public officials; to prohibit an elected public official from qualifying to run for another elected public office; to provide certain exceptions; to require that an elected public official resign before qualifying for another office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Faucheux, the bill was returned to the calendar.

HOUSE BILL NO. 569—

BY REPRESENTATIVE TRICHE

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 7.1(D) of the Constitution of Louisiana, to provide relative to state general fund appropriations for certain Louisiana technical colleges; to prohibit the reduction of such appropriations below certain amounts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Triche, the bill was returned to the calendar.

HOUSE BILL NO. 573—

BY REPRESENTATIVE FARVE

A JOINT RESOLUTION

Proposing to add Article VIII, Section 13(E) of the Constitution of Louisiana, to define minimum foundation program to mean an adequate program of education in all public elementary and secondary schools; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. LeBlanc moved that the bill be recommitted to the Committee on Appropriations.

Rep. Farve objected.

By a vote of 60 yeas and 25 nays, the House agreed to recommit the bill to the Committee on Appropriations.

Page 32 HOUSE

30th Day's Proceedings - May 10, 1999

HOUSE BILL NO. 577—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:2234, relative to trusts; to provide for a prescriptive period for actions by a beneficiary against a trustee; and to provide for related matters.

Read by title.

Rep. Travis sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed House Bill No. 577 by Representative Travis

AMENDMENT NO. 1

On page 1, line 12, after "one" and before "of" change "period" to "year"

AMENDMENT NO. 2

On page 1, line 14, before "period" insert "accounting"

AMENDMENT NO. 3

On page 1, line 17, after "an" and before "accounting" delete "annual"

AMENDMENT NO. 4

On page 2, line 1, after "for the" and before "period" insert "accounting"

AMENDMENT NO. 5

On page 2, line 3, after "for the" and before "period" insert "accounting"

On motion of Rep. Travis, the amendments were adopted.

Rep. Travis moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy

Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinet	Wright
Green	Perkins	
Guillory	Pierre	
Total—100		

NAYS

Total—0

ABSENT

Carter	Strain	Weston
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 580—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:1720(A) and to enact R.S. 32:1720.1, relative to towing and storage of motor vehicles; to provide for notification; to provide for the surrender of a stored vehicle by a storage operator to a lienholder in certain circumstances; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill

Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Nevers	Wooton
Gautreaux	Odinot	Wright
Glover	Perkins	
Green	Pierre	
Total—100		

NAYS

Total—0

ABSENT

Morrell	Strain	Weston
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 647—

BY REPRESENTATIVES JOHN SMITH AND DEWITT

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(A) and (B) of the Constitution of Louisiana, to authorize the investment in stocks of certain trust funds dedicated for use by the Department of Wildlife and Fisheries; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. John Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot

Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinot	Wooton
Glover	Perkins	Wright
Green	Pierre	
Total—98		

NAYS

Bowler	Jenkins
Total—2	

ABSENT

Morrell	Strain	Weston
Total—3		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. John Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 696—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 9:331.1, relative to custody and visitation proceedings; to provide the court with the authority to order a party to submit to drug tests in a custody or visitation proceeding; to provide for the admissibility of drug test results; to provide for allocation of costs of drug tests; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly

Page 34 HOUSE

30th Day's Proceedings - May 10, 1999

Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinot	Wooton
Glover	Perkins	Wright
Green	Pierre	
Total—98		

NAYS

Murray
Total—1

ABSENT

Fontenot	Strain
Jetson	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 708— BY REPRESENTATIVE JACK SMITH AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 708 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 2, line 1, following "constructions" and before "permanently" change "which are" to "that are" and on line 2, following "plantings" and before "made" insert "that are"

On motion of Rep. Salter, the amendments were adopted.

Speaker Pro Tempore Bruneau in the Chair

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	Michot	Warner
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinot	Wright
Green	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Diez	Strain	Weston
McMains	Welch	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 709— BY REPRESENTATIVE THERIOT AN ACT

To enact R.S. 32:292.1, relative to all-terrain vehicles; to prohibit the mounting of a loaded firearm on an all-terrain vehicle; and to provide for related matters.

Read by title.

Rep. Theriot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Nevers
Alario	Glover	Odinet
Ansardi	Green	Pierre
Barton	Guillory	Pinac
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Bowler	Holden	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Curtis	Kenney	Theriot
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Denville	LeBlanc	Toomy
DeWitt	Long	Travis
Doerge	Martiny	Walsworth
Donelon	McCain	Warner
Dupre	McDonald	Welch
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Mitchell	Willard
Flavin	Montgomery	Windhorst
Fontenot	Morrell	Winston
Frith	Morrish	Wooton
Frige	Murray	Wright
Total—84		

NAYS

Alexander	Jenkins	Scalise
Crane	McCallum	Sneed
Hebert	Perkins	Waddell
Hopkins	Riddle	
Total—11		

ABSENT

Diez	Pratt	Triche
Hill	Stelly	Weston
Marionneaux	Strain	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Theriot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 824— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:162(5)(f), 164, and 172(A)(4)(c) and to enact R.S. 45:163(D)(1)(d), relative to motor carriers; to remove the exemption for certain common carriers of household goods; to require certain types of insurance; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Marionneaux	Smith, J.R.—30th
Baudoin	Michot	Stelly
Diez	Montgomery	Theriot
Donelon	Nevers	Warner
Durand	Pinac	Wilkerson
Gautreaux	Powell	Winston
Kennard	Quezaire	Wooton
Landrieu	Romero	
Total—23		

NAYS

Mr. Speaker	Heaton	Pratt
Alario	Hebert	Riddle
Ansardi	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Johns	Sneed
Clarkson	Kenney	Thompson
Copelin	Lancaster	Thornhill
Curtis	LeBlanc	Toomy
Daniel	Long	Travis
Denville	McCain	Triche
DeWitt	McCallum	Waddell
Doerge	McDonald	Walsworth
Dupre	Mitchell	Welch
Farve	Morrell	Wiggins
Faucheux	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Odinet	Wright
Frige	Perkins	
Hammett	Pierre	
Total—67		

ABSENT

Barton	Green	McMains
Crane	Guillory	Strain
Damico	Hudson	Weston
Flavin	Jetson	
Glover	Martiny	
Total—13		

The Chair declared the above bill failed to pass.

Rep. Bowler moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Gautreaux, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 849— BY REPRESENTATIVES GAUTREUX AND DIEZ

AN ACT

To amend and reenact R.S. 47:473(H), relative to the authorized use of motor vehicle dealer inventory plates; to provide that a transaction treated as a taxable fringe benefit under federal tax provisions shall not be considered renting or leasing; and to provide for related matters.

Read by title.

Page 36 HOUSE

30th Day's Proceedings - May 10, 1999

Motion

Rep. Gautreaux moved that House Bill No. 849 be designated as a duplicate of Senate Bill No. 897.

Which motion was agreed to.

Motion

On motion of Rep. Gautreaux, the bill was returned to the calendar.

HOUSE BILL NO. 900—

BY REPRESENTATIVES LEBLANC AND DOWNER AND SENATORS HAINKEL, ULLO, AND DARDENNE

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

Rep. Pratt sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pratt to Engrossed House Bill No. 900 by Representative LeBlanc et al.

AMENDMENT NO. 1

On page 1, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"Section 1.A. The sum of Seventy-five Million Three Hundred Nineteen Thousand Seven Hundred Thirty-five and No/100 (\$75,319,735.00) Dollars, or so much thereof as may"

AMENDMENT NO. 2

On page 10, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct)
to the Orleans Parish Criminal Court
for a certified public accountant
to monitor court finances (\$40,000) \$ 60,000"
and for a public relations office (\$20,000)

On motion of Rep. Pratt, the amendments were adopted.

Rep. Pratt sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pratt to Engrossed House Bill No. 900 by Representative LeBlanc, et al.

AMENDMENT NO. 1

On page 9, delete lines 22 through 24 in their entirety and insert in lieu thereof the following:

"related benefits of legal assistants."

On motion of Rep. Pratt, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinot	Wooton
Glover	Perkins	Wright
Green	Pierre	
Total—98		

NAYS

Total—0

ABSENT

Farve	Mitchell	Weston
Hudson	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 917—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 47:8011(A)(2)(b) and (c) and to repeal R.S. 47:8011(A)(2)(d), relative to the Tax Increment Development Act; to delete the requirement of an election in each affected parish, municipality, and taxing district; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pierre
Alario	Heaton	Pinac
Alexander	Hebert	Powell
Ansardi	Hill	Pratt
Barton	Holden	Quezaire
Baudoin	Hopkins	Riddle
Baylor	Hudson	Romero
Bowler	Hunter	Salter
Bruce	Iles	Scalise
Bruneau	Jenkins	Schneider
Carter	Jetson	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinot	Wright
Green	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Damico	Stelly	Weston
Guillory	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Winston moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 995—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to the impoundment of vehicles; to provide for the presentment of proof of compliance; and to provide for related matters.

Read by title.

Motion

Rep. Pinac moved that House Bill No. 995 be designated as a duplicate of Senate Bill No. 396.

Which motion was agreed to.

Motion

On motion of Rep. Pinac, the bill was returned to the calendar.

HOUSE BILL NO. 1033—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 48:1001, relative to ferries; to prohibit the appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; to authorize transfer of the ferry by the Department of Transportation and Development to Cameron Parish; to provide for certain conditions for the transfer; to authorize compensation to residents for their land; and to provide for related matters.

Read by title.

Rep. Scalise moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Sneed
Copelin	Kenney	Stelly
Crane	Lancaster	Theriot
Curtis	Landrieu	Thompson
Damico	Long	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Waddell
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Wiggins
Farve	Morrell	Wilkerson
Faucheux	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Nevers	Winston
Fruge	Odinot	Wright
Gautreaux	Perkins	
Guillory	Pierre	
Total—94		

NAYS

Page 38 HOUSE

30th Day's Proceedings - May 10, 1999

Green	Marionneaux	Quezaire
Total—3		

ABSENT

Flavin	LeBlanc	Weston
Glover	Strain	Wooton
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Scalise moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Triche, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 1124—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 9:3890, relative to a conditional procuration; to provide for a conditional procuration that becomes effective upon a certain level of disability; to establish disability requirements relative to a conditional procuration; and to provide for related matters.

Read by title.

Motion

Rep. Schwegmann moved that House Bill No. 1124 be designated as a duplicate of Senate Bill No. 699.

Which motion was agreed to.

Rep. Schwegmann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	Long	Thompson
Daniel	Marionneaux	Thornhill
Denville	Martiny	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell

Donelon	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Total—96		

NAYS

Total—0

ABSENT

Dupre	LeBlanc	Weston
Flavin	Odinet	
Hammett	Strain	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schwegmann moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1132—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 47:303(B)(7), relative to the sales and use tax; to provide for the remittance of the tax on payments under certain leases of motor vehicles collected by agents on behalf of motor vehicle lessors; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Daniel	Landrieu	Theriot
Denville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche

Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Nevers	Wooton
Green	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Damico	Strain
Odinet	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1153—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 30:2043, relative to the disposal of railroad cross-ties; to prohibit the storage of railroad cross-ties on railroad rights-of-way for longer than certain time periods; to provide for the proper disposal of railroad cross-ties; to provide for penalties; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Faucheux, the bill was returned to the calendar.

HOUSE BILL NO. 1227—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 32:407(A)(2), relative to drivers' licenses; to provide relative to the Class "E" learner's license; to authorize the holder of a Class "E" learner's license to drive while being accompanied by a licensed parent, guardian, or adult at least age twenty-one or older, or a sibling at least eighteen or older; and to provide for related matters.

Read by title.

Motion

Rep. Jack Smith moved that House Bill No. 1227 be designated as a duplicate of Senate Bill No. 385.

Which motion was agreed to.

Rep. Marionneaux sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marionneaux to Engrossed House Bill No. 1227 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, delete line 6 and insert in lieu thereof "eighteen or older; and to"

AMENDMENT NO. 2

On page 2, line 8, change "twenty-one" to "eighteen" and after "older" delete the remainder of the line and delete line 9

Rep. Marionneaux moved the adoption of the amendments.

Rep. Dupre objected.

By a vote of 52 yeas and 37 nays, the amendments were adopted.

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hammett	Pierre
Alexander	Heaton	Pinac
Baylor	Hebert	Pratt
Bowler	Hill	Quezaire
Carter	Holden	Romero
Copelin	Hopkins	Salter
Curtis	Hunter	Schwegmann
Denville	Iles	Smith, J.D.—50th
DeWitt	Kenney	Smith, J.R.—30th
Durand	Long	Thompson
Farve	McCallum	Thornhill
Frith	Mitchell	Travis
Fruge	Montgomery	Waddell
Glover	Morrell	Warner
Green	Murray	Welch
Guillory	Odinet	Wilkerson
Total—48		

NAYS

Ansardi	Fontenot	Schneider
Baudoin	Gautreaux	Shaw
Bruce	Jenkins	Sneed
Bruneau	Johns	Stelly
Chaisson	Kennard	Theriot
Clarkson	Lancaster	Toomy
Crane	Landrieu	Triche
Damico	McCain	Walsworth
Daniel	McDonald	Wiggins
Diez	McMains	Willard
Doerge	Michot	Windhorst
Donelon	Morrish	Winston
Dupre	Powell	Wooton
Faucheux	Riddle	Wright
Flavin	Scalise	
Total—44		

ABSENT

Mr. Speaker	LeBlanc	Perkins
Barton	Marionneaux	Strain
Hudson	Martiny	Weston
Jetson	Nevers	

Page 40 HOUSE

30th Day's Proceedings - May 10, 1999

Total—11

Failed to pass.

Motion to reconsider pending.

HOUSE BILL NO. 1233—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:1442(A), relative to defeasance of securities of a public entity; to authorize deposits with a trust company; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Denville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Guillory	Pierre	
Total—98		

NAYS

Total—0

ABSENT

Barton	Jetson	Weston
Fruge	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 32:1252(1), (2), (3), (10), (13), and (16), 1253(A)(3), 1254(F)(3), (I), (K), (M), (N)(1)(a), (3)(introductory paragraph) and (7), and (R), 1255(3) and (6), 1256.1, and 1257(A)(1)(introductory paragraph), (a)(introductory paragraph), (b), (c), and (d), (2), (B), (C), (D), and (E), to enact R.S. 32:1252(2.1), (2.2), (2.3), (9.2), (10.1), (15.1), (19.1), (19.2), (19.3), and (24), (N)(3)(g), (4)(e), (6)(r), (8), and (9), and (S), (T), (U), (V), and (W), and 1256(G)(4), and to repeal R.S. 32:1252(15)(b)(iv), relative to the sale and distribution of motor vehicles; to provide for the hearing of disputes; to provide for licensure of brokers, converters, lease facilitators, motor vehicle lessor franchisors, satellite warranty and repair centers, and speciality vehicle dealers; to provide for fee requirements and bonding requirements; to provide for prohibited activities; to provide for certain business practices; to provide relative to franchises; to provide for grounds for denial, suspension, or revocation of a license; to provide relative to venues for litigation and arbitration; to provide relative to the repurchase of various items; and to provide for related matters.

Read by title.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 1269 by Representative Murray

AMENDMENT NO. 1

On page 6, line 17, after "mark" and before "to" insert "or"

AMENDMENT NO. 2

On page 22, line 24, after "manufacturer" and before "or" insert ", converter."

On motion of Rep. Murray, the amendments were adopted.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Murray and Travis to Engrossed House Bill No. 1269 by Representative Murray

AMENDMENT NO. 1

On page 1, line 7, after "(2.2)," and before "(9.2)," delete "(2.3),"

AMENDMENT NO. 2

On page 1, line 8, after "(6)(r)," and before "and" delete "(8), and (9)," and insert in lieu thereof "and (8),"

AMENDMENT NO. 3

On page 1, line 11, after "of" and before "convertors," delete

"brokers,"

AMENDMENT NO. 4

On page 2, line 8, after "(2.2)," and before "(9.2)," delete "(2.3),"

AMENDMENT NO. 5

On page 2, at the end of line 9, after "(6)(r)," delete the remainder of the line in its entirety and "(9)," at the beginning of line 10 and insert in lieu thereof "and (8), and"

AMENDMENT NO. 6

On page 3, delete lines 3 through 13 in their entirety

AMENDMENT NO. 7

On page 3, at the beginning of line 14, change "(2.1)" to "(2)"

AMENDMENT NO. 8

On page 3, at the beginning of line 16, change "(2.2)" to "(2.1)"

AMENDMENT NO. 9

On page 3, at the beginning of line 19, change "(2.3)" to "(2.2)"

AMENDMENT NO. 10

On page 10, line 11, after "representative" and before "or" delete "broker."

AMENDMENT NO. 11

On page 11, at the end of line 11, after "distributor," delete "broker."

AMENDMENT NO. 12

On page 11, line 16, after "dealer," and before "license" delete "satellite warranty and repair center, or broker" and insert in lieu thereof "or satellite warranty and repair center"

AMENDMENT NO. 13

On page 13, line 7, after "franchisor," and before "lease" delete "broker."

AMENDMENT NO. 14

On page 15, delete lines 13 through 26 in their entirety

AMENDMENT NO. 15

On page 16, delete lines 1 through 25 in their entirety

AMENDMENT NO. 16

On page 17, delete lines 1 through 23 in their entirety

AMENDMENT NO. 17

On page 17, at the beginning of line 24, change "(9)" to "(8)"

On motion of Rep. Murray, the amendments were adopted.

Rep. Murray moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Perkins
Alario	Hammett	Pierre
Ansardi	Heaton	Pinac
Barton	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter	Iles	Scalise
Chaisson	Jenkins	Schneider
Clarkson	Jetson	Schwegmann
Copelin	Johns	Shaw
Crane	Kennard	Smith, J.D.—50th
Curtis	Kenney	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Theriot
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Wooton
Glover	Nevers	Wright
Green	Odinot	
Total—98		

NAYS

Winston
Total—1

ABSENT

Alexander
Stelly
Total—4

Strain
Weston

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Murray moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1285— BY REPRESENTATIVE WINDHORST AN ACT

To amend and reenact R.S. 42:282.1, relative to information to be provided to legislators relating to payment, allocation, or disbursement of state funds; to require that officials and agency heads furnish legislators, upon request, any information and supporting documentation relating to the payment, allotment, or disbursement of state funds for any purpose; to provide for no exceptions; and to provide for related matters.

Read by title.

Page 42 HOUSE

30th Day's Proceedings - May 10, 1999

Rep. Copelin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Copelin, Thornhill, and Travis to Engrossed House Bill No. 1285 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 17, after "governor" and before the comma "," insert "and the attorney general"

On motion of Rep. Copelin, the amendments were adopted.

Motion

On motion of Rep. Windhorst, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 1292—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:1365(7), relative to the issuance and sale of general obligation bonds; to change requirements for bids; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Nevers	Wooton

Gautreaux
Glover
Total—98

Odinet
Perkins

Wright

NAYS

Total—0

ABSENT

Hopkins
McDonald
Total—5

Strain
Waddell

Weston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Downer in the Chair

HOUSE BILL NO. 1333—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 45:164 and 180.1(E), to enact R.S. 45:162(19), and to repeal R.S. 45:172(A)(6), relative to the public service commission; to provide relative to wrecker and towing services and limousine services; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Stelly
Damico	LeBlanc	Theriot
Daniel	Long	Thompson
Deville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard

Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Nevers	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Hopkins	Strain	Weston
Jetson	Waddell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Travis moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1519—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 9:5681(A) and (D) and to enact R.S. 9:5681(E), relative to the sale of immovable property by or to certain legal entities; to provide for prescription of actions; to create a conclusive presumption of valid title; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Wiggins

Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Jetson	Strain
Mitchell	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McMains moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1680—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 34:322, 323, 324, 326, 328, and 330 and to enact R.S. 34:323.1, relative to the Morgan City Harbor and Terminal District; to provide relative to membership, duties, and powers of the board of commissioners; to authorize the board of commissioners to acquire, construct, control, and alienate industrial parks and facilities; to fund authorized public functions; to enter into cooperative endeavors; to incur debt and issue bonds; to pay bonds from various sources of income; to lend capital; to levy taxes; to increase bidding limits; to reimburse reasonable and necessary expenses; to define certain terms; and to provide for related matters.

Read by title.

Rep. Jack Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 1680 by Representative Jack Smith

AMENDMENT NO. 1

On page 7, at the end of line 18, delete "the parish"

AMENDMENT NO. 2

On page 7, line 19, delete "governing authority of"

On motion of Rep. Jack Smith, the amendments were adopted.

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell

Page 44 HOUSE

30th Day's Proceedings - May 10, 1999

Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Nevers	Wooton
Gautreaux	Odinot	Wright
Glover	Perkins	
Green	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Bowler	Morrell	Strain
Jetson	Stelly	Weston
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1729—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Article 2124(B)(1), (C), and (D) and to enact Code of Civil Procedure Article 2124(E), relative to security to be furnished for an appeal; to permit a trial court to exercise its discretion in determining the amount of security for a suspensive appeal; to provide for the application of supervisory writs; and to provide for related matters.

Read by title.

Motion

Rep. Thornhill moved that the bill be returned to the calendar.

Rep. McMains objected.

By a vote of 52 yeas and 39 nays, the House returned the bill to

the calendar.

HOUSE BILL NO. 1780—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact Civil Code Article 1595, as amended by Act No. 1421 of the 1997 Regular Session of the Legislature, relative to successions; to provide for lapsed legacies; to provide for a lapsed general legacy to the testator's spouse to pass to the testator's descendants; and to provide for related matters.

Read by title.

Motion

Rep. Copelin moved that the bill be returned to the calendar.

Rep. Donelon objected.

By a vote of 64 yeas and 32 nays, the House returned the bill to the calendar.

HOUSE BILL NO. 1781—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact Civil Code Articles 886 and 1589(1) and (5), as amended by Act No. 1421 of the 1997 Regular Session of the Legislature, to enact Civil Code Article 1589.1, and to repeal Civil Code Articles 965 and 1593, both as amended by Act No. 1421 of the 1997 Regular Session of the Legislature, relative to successions; to provide for representation of lapsed legacies; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Donelon, the bill was returned to the calendar.

HOUSE BILL NO. 1832—

BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 48:452.1(A), relative to abandonment of expropriation claims; to change the time for abandonment of such claims; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Schwegmann

Bruneau	Iles	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Denville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Wiggins
Farve	Mitchell	Wilkerson
Faucheux	Montgomery	Willard
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—94		

NAYS

Holden	Morrell
Jenkins	Toomy
Total—4	

ABSENT

Carter	Perkins	Weston
Jetson	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1964—

BY REPRESENTATIVE TRICHE

AN ACT

To provide relative to the authority of certain water districts to hire attorneys; and to provide for related matters.

Read by title.

Rep. Triche sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 1964 by Representative Triche

AMENDMENT NO. 1

On page 1, line 5, after "district", delete "which is"

AMENDMENT NO. 2

On page 1, line 6, after "legislature", delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 7, delete "three parishes"

On motion of Rep. Triche, the amendments were adopted.

Rep. Triche moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pierre
Alario	Heaton	Pinac
Alexander	Hebert	Powell
Ansardi	Hill	Pratt
Barton	Holden	Quezaire
Baudoin	Hopkins	Riddle
Baylor	Hudson	Romero
Bowler	Hunter	Salter
Bruce	Iles	Scalise
Bruneau	Jenkins	Schneider
Clarkson	Jetson	Schwegmann
Copelin	Johns	Shaw
Crane	Kennard	Smith, J.D.—50th
Curtis	Kenney	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Denville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Nevers	Wooton
Green	Odinet	Wright
Guillory	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Carter	Strain	Weston
Chaisson	Theriot	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1985—

BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 48:252(A)(1) and (I)(2)(b), relative to the

Page 46 HOUSE

30th Day's Proceedings - May 10, 1999

bidding requirements of Department of Transportation and Development projects; to provide for the time period in which written invitations for quotations are to be sent; to provide relative to facsimile or telecopier transmission of addenda; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Perkins
Alario	Hammett	Pierre
Alexander	Heaton	Pinac
Ansardi	Hebert	Powell
Barton	Hill	Pratt
Baudoin	Holden	Quezaire
Baylor	Hopkins	Riddle
Bowler	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Iles	Scalise
Carter	Jenkins	Schneider
Clarkson	Jetson	Schwegmann
Copelin	Johns	Shaw
Crane	Kennard	Smith, J.D.—50th
Curtis	Kenney	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Nevers	Wooton
Green	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Chaisson	Theriot
Strain	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1995—

BY REPRESENTATIVES POWELL, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 39:1615(A), relative to multiyear contracts; to increase the specified period for contracts for services or supplies; and to provide for related matters.

Read by title.

Rep. Powell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Nevers	Wooton
Glover	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Jenkins	Strain
Perkins	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Powell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Reports of Conference Committees

The following reports of conference committees were received and read:

CONFERENCE COMMITTEE REPORT

Senate Bill No. 242 by Senator Landry

May 10, 1999

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 242 by Senator Landry recommend the following concerning the Engrossed bill:

1. That House Floor Amendments Nos. 1 through 3 and 5 adopted on April 8, 1999 be accepted.
2. That House Floor Amendments Nos. 4 and 6 adopted on April 8, 1999 be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 13 and 14 and insert:

"do all other things incidental thereto. Along the main line levees of the Mississippi river, levee boards and levee and drainage boards may construct bicycle paths and walkways along the top of the"

AMENDMENT NO. 2

On page 2, after line 5, insert the following:

R.S. 38:301(E) is all proposed new law.

"E. (1) Neither a levee board nor a levee and drainage board that constructs a bicycle path or walkway as provided in Subsection A, nor the owner, operator or lessee of property utilized for levee and levee drainage purposes, shall be liable for any personal injury, property damage, or other loss which occurs while a person enters onto such property to utilize the bicycle path or walkway constructed by the levee board or the levee and drainage board.

(2) Nothing contained in this Section shall prevent or restrict a landowner, operator, lessee or adjacent landowners from the normal, reasonable and foreseeable use of levee property upon which a bicycle path or walkway is constructed.

(3) Nothing contained in this Section shall be construed to require the removal or modification of any existing structure or pipeline lawfully placed upon or crossing a levee in order to construct a bicycle path or walkway."

Respectfully submitted,

Senator Ron Landry
Senator Louis Lambert
Senator Mike Smith
Representative Juba Diez
Representative Mitch Theriot
Representative Joel Chaisson

The above conference committee report lies over under the rules.

Suspension of the Rules

On motion of Rep. Hill, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

SENATE BILLS

May 10, 1999

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 146, 249, 654, 773, 1008, and 1060

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 146— BY SENATOR LENTINI

AN ACT

To enact R.S. 48:278, relative to highways; to provide relative to limited access highways; to discourage peak time construction and maintenance work on such highways in certain areas; to encourage preference for night time construction and maintenance work on such highways in certain areas; to authorize the Department of Transportation and Development to determine exceptions; to provide for a determination by oversight committee; and to provide for related matters.

Read by title.

SENATE BILL NO. 249—

BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 17:24.4(G)(4) and 346.1 and to repeal 24.4(H), relative to competency-based education programs; to require that summer school remediation programs be offered to certain students; to provide relative to the requirements for summer school remediation programs; to provide relative to the funding for certain competency-based education programs,

including summer school remediation programs; to provide relative to maximum required length of a school year for teachers and students; and to provide for related matters.

Read by title.

SENATE BILL NO. 654—

BY SENATORS DARDENNE, GREENE, BRANCH AND SCHEDLER AND REPRESENTATIVES MCMAINS, CRANE, DANIEL AND FONTENOT
AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose certain tuition increases at the Paul M. Hebert Law Center, the School of Veterinary Medicine, the Executive Master of Business Administration program, the schools of medicine in New Orleans and Shreveport, and the School of Dentistry; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 773—

BY SENATOR DARDENNE

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:795, 795(2)(a), (d), (i), (j), (k), and (3)(c), (g), and (h), and to enact R.S. 37:795(2)(l), (m), and (n), and (3)(i), relative to the Louisiana State Board of Dentistry; to revise certain fees and cost schedule of the board; and to provide for related matters.

Read by title.

SENATE BILL NO. 1008—

BY SENATORS ULLO, SCHEDLER, HAINKEL, ROMERO, BARHAM, COX, C. FIELDS, W. FIELDS AND SMITH

AN ACT

To enact Chapter 15 of Title VII of Louisiana Children's Code, comprised of Arts. 791.1 through 791.4, relative to the creation of truancy assessment and service centers; to provide for the purpose; to provide for parish involvement through interagency agreements; to provide for state participation; to provide for monitoring; and to provide for related matters.

Read by title.

SENATE BILL NO. 1060—

BY SENATOR BARHAM

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries to exchange title to certain described property in Ouachita Parish; to provide for property descriptions; to provide for terms and conditions; and to provide for related matters.

Read by title.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 197—

BY REPRESENTATIVES STELLY, BOWLER, DANIEL, DURAND, FLAVIN, JOHNS, SHAW, TRICHE, AND WILKERSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to preserve the right of state and local governments to operate pension plans for their employees in place of the federal social security system and to develop legislation for responsible reform of the federal

social security system that does not include mandatory participation by employees of state and local governments.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 198—

BY REPRESENTATIVE WILLARD

A CONCURRENT RESOLUTION

To commend and congratulate Louisiana Air National Guard Colonel Leon Simmons, Jr. on his retirement as the Director of Command, Control, Communications, and Computer Systems at the Louisiana Air National Guard Headquarters.

Read by title.

On motion of Rep. Willard, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 10, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 213, by Holden
Reported favorably. (9-0-1) (Local and Consent)

House Bill No. 301, by LeBlanc
Reported with amendments. (9-0-1) (Regular)

House Bill No. 2086, by Deville
Reported favorably. (10-0) (Local and Consent)

House Bill No. 2137, by LeBlanc
Reported favorably. (9-0-1) (Local and Consent)

House Bill No. 2145, by LeBlanc
Reported with amendments. (9-0-1) (Major State)

House Bill No. 2182, by Wright
Reported favorably. (10-0) (Local and Consent)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Civil Law and Procedure

May 10, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Concurrent Resolution No. 85, by Walsworth
Reported favorably. (7-0)

House Concurrent Resolution No. 93, by Walsworth

Reported favorably. (7-0)

House Concurrent Resolution No. 190, by Shaw
Reported favorably. (7-0)

House Bill No. 37, by Dewitt
Reported with amendments. (8-0) (Regular)

House Bill No. 382, by Scalise
Reported with amendments. (7-0) (Regular)

House Bill No. 431, by Salter
Reported with amendments. (7-0) (Regular)

House Bill No. 568, by Travis (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 649, by Theriot (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 799, by Triche
Reported with amendments. (8-0) (Local and Consent)

House Bill No. 858, by Johns
Reported favorably. (9-0) (Regular)

House Bill No. 971, by Flavin
Reported with amendments. (7-0) (Regular)

House Bill No. 1352, by Clarkson
Reported favorably. (8-0) (Regular)

Senate Bill No. 665, by Ullo
Reported with amendments. (7-0) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Commerce

May 10, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the
following report:

House Bill No. 195, by Wilkerson
Reported with amendments. (14-0) (Regular)

House Bill No. 1899, by Travis
Reported with amendments. (11-0) (Regular)

JOHN D. TRAVIS
Chairman

Report of the Committee on Ways and Means

May 10, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit
the following report:

House Bill No. 170, by Alario (Joint Resolution)

Reported with amendments. (11-0)

JOHN A. ALARIO, JR.
Chairman

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second
reading to be referred were taken up, read, and referred to
committees, as follows:

Motion

On motion of Rep. Damico, the Committee on Environment was
discharged from further consideration of Senate Bill No. 345.

SENATE BILL NO. 345—

BY SENATORS ELLINGTON, BRANCH, DEAN, GREENE, MALONE AND
THEUNISSEN

AN ACT

To enact R.S. 30:2063(K), relative to the chemical accident
prevention program; to provide certain exemptions from fees
charged pursuant to the chemical accident prevention program
administered by the Louisiana Department of Environmental
Quality; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Damico, the bill was returned to the calendar.

Suspension of the Rules

On motion of Rep. Diez, the rules were suspended to permit the
Committee on Transportation, Highways and Public Works to meet
and consider the following legislative instruments that were not listed
on the weekly committee schedule as required by House Rule 14.23.

House Concurrent Resolution No. 185

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended to permit
the Committee on Ways and Means to meet and consider the
following legislative instruments that were not listed on the weekly
committee schedule as required by House Rule 14.23.

House Bill No. 2110

Leave of Absence

Rep. Strain- 1 day

Adjournment

On motion of Rep. Triche, at 6:25 P.M., the House agreed to
adjourn until Tuesday, May 11, 1999, at 2:00 P.M.

The Speaker of the House declared the House adjourned until
2:00 P.M., Tuesday, May 11, 1999.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays

Journal Clerk, *Emeritus*

Committee Meeting Notices

Committee on Appropriations

Will meet at: Date: May 11, 1999

Location: Committee Room 5

NO MEETING IS SCHEDULED

JERRY LUKE LEBLANC
Chairman

Committee on Civil Law and Procedure

Will meet at: 9:00 A.M. Date: May 11, 1999

Location: Committee Room 3

HB 77 FRUGE – CIVIL/PROCEDURE: Requires payment of legal fees of the prevailing party where the amount in dispute is \$10,000 or less

HB 92 SCHNEIDER – TELEPHONES: Allows customers whose long distance services have illegally been transferred to bring suits for damages against the offending long distance carriers

HB 247 FRUGE – ATTORNEYS/FEEES: Provides for the recovery of attorneys fees in certain cases

HB 591 McCALLUM – CIVIL/LAW: Provides for the qualifications of mediators

HB 650 WINDHORST – JUVENILES/DELINQUENTS: (Constitutional Amendment) Authorizes incarceration of offenders adjudicated as juveniles as provided by law (No fiscal note required. See note.) (*Technical Review Only*)

HB 712 WESTON – LIABILITY: Provides for a limitation of liability to health care providers rendering gratuitous services

HB 820 McMAINS – CIVIL/PROCEDURE: Provides relative to expert testimony

HB 950 LANDRIEU – NOTARIES: Repeals the requirement that a notary public include the social security or employer identification number of a party on an act affecting immovable property

HB 951 LANDRIEU – MINERALS: Provides with respect to the geological survey of co-owned property

HB 974 GLOVER – CIVIL/RESTRaining ORDER : Provides for temporary restraining orders to last for a period of up to sixty days in domestic abuse cases

HB 975 GLOVER – CIVIL/RESTRaining ORDER : Provides for protective orders in domestic abuse cases to last for a period of up to five years

HB 1799 LANDRIEU – EVIDENCE: Provides relative to conflicts between the Code of Evidence and the Code of Civil Procedure regarding the use of depositions

HB 1841 DEWITT – MALPRACTICE/MEDICAL: Revises Malpractice Liability for State Services Act

HB 1913 DEWITT – MALPRACTICE/MEDICAL: Revises Medical Malpractice Act

HB 1927 LANDRIEU – MALPRACTICE/MEDICAL: Repeals requirement that a copy of the complaint be forwarded to the Louisiana Supreme Court

HB 2080 DANIEL – PRESCRIPTION: Reduces peremptive periods for actions against contractors or sureties on certain contracts

HB 2148 JOHNS – INSURANCE: Provides for peremptive periods for actions for insurance agent liability

HB 2160 SCHNEIDER – REAL ESTATE: Requires notaries public to disclose certain building restrictions

F. CHARLES MCMAINS, JR.
Chairman

Committee on Commerce

Will meet at: 9:00 A.M. Date: May 11, 1999

Location: Committee Room 1

HB 40 MURRAY – COUNSELORS: Provides for the Employee Assistance Professional Licensure Act

HB 49 HOLDEN – CREDIT/CONSUMER: Limits the use of a consumer's credit report in connection with a business transaction initiated by the consumer to a legitimate business need for the information

HB 218 GUILLORY – ECONOMIC DEVEL/ENT ZONE : Prohibits the designation of unqualified block groups as enterprise zones

HB 273 WILLARD – PILOTS: Prohibits the discrimination of river pilots based on age

HB 303 DONELON – INSURANCE: Issuance and delivery of premium checks under premium finance agreements

HB 393 FAUCHEUX – CREDIT/CONSUMER: Provides for a creditor to notify a debtor in advance of submitting notice of delinquency to a credit reporting agency under the Louisiana Consumer Credit Law

HB 726 MICHOT – ECONOMIC DEVEL/ENT ZONE : Allows certain businesses located outside of an enterprise zone to enter into contracts for incentives

HB 756 TOOMY – ARCHITECTS: Provides for changes relative to the State Board of Architectural Examiners

HB 896 FARVE – ECONOMIC DEVELOP/DEPT: Requires the Department of Economic Development to provide certain information pertaining to economic development programs when requested

HB 1058 MARTINY – CORPORATIONS: Provides relative to granting power to the president of a corporation to execute any act dealing with a corporation's immovable property

HB 1198 McMAINS – ECONOMIC DEVELOPMENT: Authorizes the state or any agency or corporation acting on behalf of the state to undertake cooperative development projects

HB 1353 WESTON – CREDIT/CARDS: Requires credit card companies soliciting on college campuses to register with the college before soliciting and requires parental consent for the issuance of certain credit cards

HB 1356 TRAVIS – CONTRACTORS: Excepts certain groups doing construction on property owned or leased by them from the licensure requirements for contractors

HB 2189 JETSON – COMMERCE: Changes various provisions of the New Assistive Devices Warranty Act

JOHN D. TRAVIS
Chairman

Committee on Environment

Will meet at: 9:00 A.M. Date: May 11, 1999

Location: Committee Room 4

HCR 4 MORRELL – ENVIRONMENT: Urges and request DEQ to impose a five-year moratorium on construction of chemical plants in La.

HCR 19 BAYLOR – ENVIRONMENT/LITTERING: Requests enforcement of littering laws and the renewal of efforts to beautify the communities of our state

HB 1791 DAMICO – ENVIRONMENT/ENFORCEMENT: Relative to environmental violations reported by employees, reprisals, damages, costs, and lost wages

HB 2195 GUILLORY – ENVIRONMENT: Provides relative to incentives for the reporting of unauthorized disposal of waste tires

HB 2211 GUILLORY – ENVIRONMENT: Authorizes development of environmental crimestoppers program

HB 2230 DAMICO – ENVIRONMENT: Provides relative to monitoring equipment and resulting liability

SB 126 BEAN – ENVIRONMENTAL QUALITY: Provides certain restrictions on transportation of hazardous materials.

SB 358 BARHAM – ENVIRONMENTAL CONTROL: Revises state reporting requirements under the Right-To-Know Law to conform with federal requirements. (No anticipated fiscal impact. See fiscal note.)

SB 743 FIELDS C – ENVIRONMENTAL QUALITY: Authorizes continuous monitoring of air around certain facilities permitted by the Department of Environmental Quality.

SCR 44 FIELDS C – ENVIRONMENTAL HEALTH: Directs DEQ to prohibit Rhodia Inc. from importing, offloading, and burning napalm unless certain conditions are satisfied.

N. J. DAMICO
Chairman

Committee on Transportation, Highways and Public Works

Will meet at: 9:30 A.M. Date: May 11, 1999

Location: Committee Room 2

HB 151 ANSARDI – MTR VEHICLE/LICEN PLATES:

Requires duplicate license plates to be attached to the front of vehicles registered in Louisiana

HB 236 MORRELL – MTR VEHICLE/COMPULS INS : Requires verification of no insurance before impounding any vehicle

HB 533 ANSARDI – AIRCRAFT/AIRPORTS: Enacts Louisiana Airport Proprietary Responsibility and Noise Management Act

HB 983 KENNARD – TRAFFIC: Provides for regulation of traffic on certain private roads in residential subdivisions

HB 1089 MARIONNEAUX – LEVEES/ATCHAFALAYA BASIN: Provides for the qualifications of the members of the board of commissioners representing St. Landry and St. Martin Parishes

HB 1102 THERIOT – RAILROADS: Creates the Louisiana Regional Mississippi River Railroad Authority

HB 1109 WARNER – WATERWAYS/LAKES: Provides for the membership of the Lake Pontchartrain Basin Foundation

HB 1672 HAMMETT – PLANNING/ZONING: Provides relative to zoning around Black River Lake

HB 1789 QUEZAIRE – RAILROADS: Creates and provides for the Louisiana Rails to Trails Program

HB 2091 J R SMITH – MTR VEHICLE/LICEN PLATES: Relative to prestige license plates on trucks

HB 2092 QUEZAIRE – TRANSPORTATION DEPT: Directs Dept. of Transportation and Development to post signs indicating the community of Wallace, Louisiana

HB 2099 GAUTREAUX – MTR VEHICLE/VIOLATIONS: Provides for the definition of "final disposition"

HB 2103 MONTGOMERY – PUBLIC CONTRACT/BIDS: Relative to volunteer labor used in certain projects

HB 2105 KENNARD – BOATS/SHIPS/VESSELS: Provides for a suspension of driver's licenses for certain offenses of operating a watercraft while intoxicated

HB 2116 DONELON – MTR VEHICLE/LICEN PLATES: Creates the Sons of Confederate Veterans prestige license plate

HB 2140 DIEZ – LEVEES/BDS & DISTRICTS: Authorizes levee district boards and levee and drainage district boards to exchange property

HB 2158 MARIONNEAUX – MOTOR CARRIERS: Provides for driving time requirements for certain for-hire carriers

HB 2168 McMANS – DISTRICTS/WATERSHED: Provides for the boundaries of the Amite River Basin Drainage and Water Conservation District and for the taxing authority of the district

HB 2179 THOMPSON – MTR VEHICLE/LICEN PLATES: Creates the "DON'T LITTER LOUISIANA" prestige license plate to promote litter awareness

HB 2197 FLAVIN – PUBLIC CONTRACT/BIDS: Authorizes a cause of action against violators of the public bid law

HB 2218 CLARKSON – BRIDGES/FERRIES: Provides relative

Page 52 HOUSE

30th Day's Proceedings - May 10, 1999

to the Greater New Orleans Mississippi River Bridges

HB 2220 McCALLUM – HIGHWAYS: Provides relative to Louisiana Colonial Trails

HB 2241 PIERRE – INSURANCE/AUTOMOBILE: Allows 24 hours before impoundment to provide proof of automobile liability insurance

HCR 185 FLAVIN (TBA) – CONGRESS: Memorializes Congress to restore budget cuts to the U.S. Geological Survey and its State-Federal Cooperative program (**SUBJECT TO RULE SUSPENSION**)

JOHN C. "JUBA" DIEZ
Chairman

Committee on Ways and Means

Will meet at: 9:30 A.M. Date: May 11, 1999

Location: Committee Room 6

HB 2 ALARIO – CAPITAL OUTLAY: Provides for the comprehensive capital outlay budget

HB 3 ALARIO – CAPITAL OUTLAY: Provides for the Omnibus Bond Act

HB 1778 MORRELL – ASSESSORS/PROPERTY ASSMT: Provides composition and authority of board of review in Orleans Parish

HB 2072 QUEZAIRE – TAX/SALES-USE, LOCAL: Authorizes the governing authority of certain municipalities to levy an additional sales and use tax (Local revs increase in FYs 99-00 thru 03-04. See fiscal note.)

HB 2110 DANIEL (TBA) – TAX/TAXATION: Provides that certain underpayments of tax shall not subject a taxpayer to certain penalties (**SUBJECT TO RULE SUSPENSION**)

SB 163 BARHAM – TAX/TAXATION: Authorizes filing of permanent application for "use value" assessment unless property is sold. (7/1/99) (No anticipated fiscal impact. See fiscal note.)

SB 833 JOHNSON – LOCAL FINANCE: Defines debt for State Bond Commission approval purposes. (SGF & Local expd decrease in FYs 99-00 thru 03-04. See fiscal note.)

SB 834 JOHNSON – LOCAL FINANCE: Requires bond counsel to transmit bond transcripts within six months of issuance. (See fiscal note for revenue impact.)

JOHN A. ALARIO, JR.
Chairman

Weekly Committee Schedule

Committee on Agriculture

Thursday, May 13, 1999
Committee Room No. 3

INSTRUMENTS TO BE HEARD:

NO MEETING IS SCHEDULED

HERMAN R. HILL
Vice Chairman

Committee on Judiciary

Thursday, May 13, 1999
Committee Room No. 1

UPON ADJOURNMENT

INSTRUMENTS TO BE HEARD:

HB 191 WILKERSON – LAW ENFORCEMENT: Requires the provision of bullet proof vests for peace officers

HB 535 COPELIN – OFFICIAL JOURNALS: Provides relative to the publication of judicial notices and legal advertisements in New Orleans

HB 660 DOWNER – CONSTITUTION/AMENDMENT: (Constitutional Amendment) Provides for the qualifications of judges

HB 796 TOOMY – ALCOHOLIC BEVERAGES: To provide for the notice of intent before applying for an alcoholic beverage license

HB 978 HEBERT – CIVIL/VENUE: Provides relative to venue for actions against the state and state agencies

HB 1330 FARVE – JURY DUTY: Requires the payment of a juror's regular salary for service on a jury

HB 1411 PIERRE – PUBLIC SFTY/CORRECT DEPT: Creates an additional office within the DPS&C

HB 1486 McCALLUM – CLERKS OF COURT: Provides for an annual increase in compensation

HB 1711 GLOVER – POLICE/MUNICIPAL: Requires all peace officers employed by the city of Shreveport to complete a police-community relations training course annually

HB 1719 THOMPSON – COURTS/CITY: Creates the Tallulah City Court

HB 2053 DUPRE – COURTS: Authorizes city courts to establish a judicial building fund

HB 2210 ANSARDI – SALES/TOBACCO DEALERS: Provides for Class A and Class B wholesale tobacco dealers

SB 118 M SMITH – CORONERS: Requires coroners to be a resident of the parish or a non-resident physician who maintains a full-time medical practice at a facility located within the parish. (9-1-99) (No anticipated fiscal impact. See fiscal note)

SB 124 BEAN – LAW ENFORCEMENT: Reduces the time required before noncontraband property may be disposed of from six months to 90 days and adds a requirement for mailed notice. (Local expd decrease in FYs 99-00 thru 03-04. See fiscal note.)

SB 271 HINES – COURTS: Increases the jurisdictional amount for City Court of Ville Platte. (1/1/00) (No anticipated fiscal impact. See fiscal note.)

SB 272 COX – COURTS: Increases the jurisdictional amount

for City Court of Sulphur. (No anticipated fiscal impact. See fiscal note.)

SB 399 LAMBERT — ATTORNEYS: Allows attorneys for the Department of Environmental Quality to act in lieu of the attorney general to recover state money expended for cleanups. (gov sig) (No fiscal note required. See note.)

SB 423 COX — CLERKS OF COURT: Increases the compensation for the court administrator and provides for the collection of a fee of three dollars for every civil filing to be deposited into the indigent transcript fund. (Local rev inc \$208,000 & exp inc \$4,000 in FYs00-04. See note.)

SB 446 COX — COURTS: Authorizes more than one division to be assigned juvenile and domestic relations matters in the Fourteenth Judicial District Court.

SB 648 M SMITH — LAW ENFORCEMENT: Clarifies certain responsibilities of coroners at the scene of a traffic accident involving a fatality.

SB 963 LAMBERT — JUDGES: Provides relative to reimbursement of certain payments and expenses for judges. (gov sig)

JOSEPH F. TOOMY
Chairman

Committee on Labor and Industrial Relations

Thursday, May 13, 1999
Committee Room No. 5
UPON ADJOURNMENT

INSTRUMENTS TO BE HEARD:

HB 256 MURRAY — WORKERS COMPENSATION: Repeals the deductions for certain benefit payments against death benefits and other benefits

HB 257 MURRAY — WORKERS COMPENSATION: Provides for additional twelve percent compounded interest in workers' compensation cases

HB 258 MURRAY — WORKERS COMPENSATION: Removes the cap on supplemental earnings benefits

HB 437 MURRAY — WORKERS COMPENSATION: Provides relative to the time period in which medical benefits must be paid

HB 488 MURRAY — WORKERS COMPENSATION: Increases the maximum number of weeks an employee may receive permanent partial disability benefits for a particular anatomical loss

HB 536 MURRAY — WORKERS COMPENSATION: Prohibits a reduction in workers' compensation benefits based on payments received for temporary total disability

HB 563 MURRAY — WORKERS COMPENSATION: Provides for workers' compensation payments for permanent partial disability to include injuries in which the spine is seriously and permanently impaired

HB 619 MURRAY — WORKERS COMPENSATION: Provides that the reduction in workers' compensation benefits based on an employer's portion of a disability policy is limited to the current

employer

HB 620 MURRAY — WORKERS COMPENSATION: Eliminates the Garrett Offset for disability benefits

HB 754 MURRAY — WORKERS COMPENSATION: Exempts an employer from the statutory immunity under the workers' compensation law for failure to secure workers' compensation insurance

HB 885 MURRAY — WORKERS COMPENSATION: Provides for vocational rehabilitation services for disabled workers

HB 1180 MURRAY — WORKERS COMPENSATION: Provides for the award of attorney fees in cases involving false representations related to benefits

HB 1294 MURRAY — WORKERS COMPENSATION: Provides that immunity from civil liability under workers' compensation law shall not extend to situations where an employer fails to provide adequate safeguards

HB 1306 MURRAY — WORKERS COMPENSATION: Provides relative to time and place for rendering of rehabilitation services

HB 1308 MURRAY — WORKERS COMPENSATION: Provides the goal of vocational rehabilitation and allows an employee to select a counselor in certain circumstances

HB 1457 MICHOT — WORKERS COMPENSATION: Provides that impeachment evidence shall not be discoverable

HB 1917 SCHWEGMANN — EMPLOYMENT: Provides prohibitions against discrimination because of actual or perceived sexual orientation

HB 2093 STRAIN — DISCRIMINATION: Clarifies that Louisiana law requires equity in pay

HB 2173 MORRELL — EMPLOYMENT/WAGES: Provides that the entire amount of a tip or gratuity is to go to the employee

HB 2214 COPELIN — EMPLOYMENT/WAGES: Provides that all employees shall be paid minimum wage regardless of any tips or gratuities

CHARLIE DEWITT
Chairman

Committee on Municipal, Parochial and Cultural Affairs

Thursday, May 13, 1999
Committee Room No. 6
UPON ADJOURNMENT

INSTRUMENTS TO BE HEARD:

HB 652 FARVE — LOCAL GOVT/ORDINANCES: Provides relative to the authority of municipal and parish governing authorities to remove or require removal of certain motor vehicles from residential property

HB 868 J D SMITH — FIRE PROTECT/FIREMEN: Provides benefits for firefighters not scheduled to work on a holiday

Page 54 HOUSE

30th Day's Proceedings - May 10, 1999

HB 1068 THOMPSON — LOCAL GOVT/ORDINANCES: Authorizes recordation of planning or zoning ordinances in lieu of publication

HB 1082 GLOVER — CIVIL SERVICE/FIRE & POL: Provides relative to the fire and police civil service board in Shreveport

HB 1086 MARTINY — LOCAL GOVT/ORDINANCES: Provides for the authority of political subdivisions to enact ordinances to regulate parking for certain disabled persons

HB 1305 GLOVER — POLICE/MUNICIPAL: Authorizes the governing authority of the city of Shreveport to create a citizen review board to review actions of police officers

HB 1318 BRUCE — DISTRICTS/COMMUNICATIONS: Provides relative to the emergency telephone service charge levied by the communications district in DeSoto Parish

HB 1329 ANSARDI — MUNICIPALITIES: Authorizes certain municipalities to use technology for enforcement of certain traffic violations

HB 1505 POWELL — TAX/SALES-USE, LOCAL: Authorizes the city of Bogalusa to levy an additional sales and use tax

HB 1686 GLOVER — PROCUREMENT: Provides for a set-aside for economically disadvantaged businesses providing goods and services to the city of Shreveport

HB 1722 BARTON — DISTRICTS/HOSPITAL SERVC: Provides relative to the authority of hospital service districts to provide services outside the district

HB 1734 PIERRE — CIVIL SERVICE/FIRE & POL: Authorizes civil service boards to establish an incentive pay plan for classified employees

HB 1851 PIERRE — CIVIL SERVICE/FIRE & POL: Provides relative to the filling of vacancies in the classified service

HB 1853 ALARIO — DISTRICTS/HOSPITAL SERVC: Authorizes the operation of satellite facilities outside a hospital service district's boundary

HB 1880 PIERRE — CIVIL SERVICE/FIRE & POL: Provides relative to promotions within the classified service

HB 1883 PIERRE — CIVIL SERVICE/FIRE & POL: Provides relative to nominations for appointment to local civil service boards

HB 1966 WIGGINS — DISTRICTS/DOWNTOWN DEVEL: Authorizes the creation of a downtown development district for the cities of Alexandria and Pineville

HB 2051 HUDSON — DISTRICTS/FIRE PROTECT: Provides relative to per diem for members of certain fire protection districts

HB 2088 STELLY — PLANNING/ZONING-LOCAL: Limits authority of local governing bodies to regulate amateur radio antennas

HB 2101 J D SMITH — PARKS/STATE: Provides for the applicability of rules and regulations affecting design and aesthetic quality standards at state parks to Cypremort Point State Park

HB 2118 HUDSON — LOCAL OFFL/POLICE CHIEFS: Authorizes the chief of police in certain municipalities to appoint, discipline, and discharge police personnel subject to budgetary limitations

HB 2121 BAUDOIN — LOCAL GOVT/ORDINANCES: Requires parish and municipal governing authorities to adopt ordinances regulating the enclosure of swimming pools

HB 2187 HOPKINS — OFFICIAL JOURNALS: Changes the time period during which a newspaper must have been published in order to be selected as the official journal of a parish, municipality, or school board

HB 2205 LANCASTER — DISTRICTS/NEIGHBORHOOD: Authorizes creation of a special district for security purposes in the Ferran Place-Courtland Heights area in Metairie

HB 2222 KENNARD — POLICE/MUNICIPAL: Provides that a convicted felon shall not be the chief of police for a municipality of 50,000 or more

SHARON WESTON
Chairman